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LOCAL ACTS
OF
THE LEGISLATURE

OF THE
STATE OF MICHIGAN,

PASSED AT THE
REGULAR SESSION OF 1879,

WITH AN APPENDIX.



BY AUTHORITY.

LANSING:
W. S. GEORGE & CO., STATE PRINTERS AND BINDERS.
1879.

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LOCAL ACTS, 1879.

[No. 269.]

AN ACT to incorporate the village of Marcellus.

SECTION 1. *The People of the State of Michigan enact*, That ^{Territory} so much of the township of Marcellus, county of Cass, and state of ^{incorporated.} Michigan, as is embraced in the following described lands, to wit: Commencing at a point on the south line of section fourteen (14), town five (5) south of range thirteen (13) west, eighty (80) rods east of the southwest corner of said section fourteen (14), thence north one-half ($\frac{1}{2}$) mile, thence west one and one-half miles, ($1\frac{1}{2}$) thence south one (1) mile, thence east one and one-half ($1\frac{1}{2}$) miles, thence north one-half mile ($\frac{1}{2}$) to the place of beginning, and enclosing the following premises to wit: The west half of the southwest quarter of section fourteen (14), and the south half of section fifteen (15), and the east half of the southeast quarter of section sixteen (16), and the east half of the northeast quarter of section twenty-one (21), and the north half of section twenty-two (22), and the west half of the northwest quarter of section twenty-three (23); all in town five (5) south of range thirteen (13) west, being in the township of Marcellus, county of Cass, and State of Michigan, be and the same is hereby made and constituted a village corporate by the name of the village of Marcellus, by virtue of and under the provisions of act number sixty-two of the session laws of eighteen hundred and seventy-five, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and acts amendatory thereof.

SEC. 2. The first election for officers of said village shall be held ^{First election.} on the second Monday in March, eighteen hundred and seventy-nine, at the office of John Manning, on Main street, in said village, notice of which shall be posted in three of the most public places ^{Notice.} in said village by the board of registration hereinafter appointed, at least ten days prior to such election; said notice shall also be published, at least once prior to said election, in such newspaper in said village having the largest circulation.

SEC. 3. George W. Jones, Warner J. Sampson, and Joseph M.

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LOCAL ACTS, 1879.

[No. 269.]

AN ACT to incorporate the village of Marcellus.

SECTION 1. *The People of the State of Michigan enact, That* Territory
so much of the township of Marcellus, county of Cass, and state of incorporated.
Michigan, as is embraced in the following described lands, to wit:
Commencing at a point on the south line of section fourteen (14),
town five (5) south of range thirteen (13) west, eighty (80) rods
east of the southwest corner of said section fourteen (14), thence
north one-half ($\frac{1}{2}$) mile, thence west one and one-half miles, ($1\frac{1}{2}$)
thence south one (1) mile, thence east one and one-half ($1\frac{1}{2}$) miles,
thence north one-half mile ($\frac{1}{2}$) to the place of beginning, and
enclosing the following premises to wit: The west half of the
southwest quarter of section fourteen (14), and the south half of
section fifteen (15), and the east half of the southeast quarter of
section sixteen (16), and the east half of the northeast quarter of
section twenty-one (21), and the north half of section twenty-two
(22), and the west half of the northwest quarter of section twenty-
three (23); all in town five (5) south of range thirteen (13) west,
being in the township of Marcellus, county of Cass, and State of
Michigan, be and the same is hereby made and constituted a village
corporate by the name of the village of Marcellus, by virtue of and
under the provisions of act number sixty-two of the session laws of
eighteen hundred and seventy-five, entitled "An act granting and
defining the powers and duties of incorporated villages," approved
April first, eighteen hundred and seventy-five, and acts amenda-
tory thereof.

SEC. 2. The first election for officers of said village shall be held First election.
on the second Monday in March, eighteen hundred and seventy-
nine, at the office of John Manning, on Main street, in said village,
notice of which shall be posted in three of the most public places Notice.
in said village by the board of registration hereinafter appointed,
at least ten days prior to such election; said notice shall also be
published, at least once prior to said election, in such newspaper in
said village having the largest circulation.

SEC. 3. George W. Jones, Warner J. Sampson, and Joseph M.

Board of registration.

Gardner, are hereby constituted a board of registration, for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet on the Saturday preceding the second Monday in March, eighteen hundred and seventy-nine aforesaid, and register the names of all persons, residents of said village, presenting themselves for registration, and having the qualifications of voters at annual township meetings.

Incorporated under law of 1876.

SEC. 4. The said village of Marcellus shall, in all things, not herein otherwise provided, be governed, and its powers and duties defined, by an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and acts amendatory thereof.

SEC. 5. This act shall take immediate effect.

Approved February 15, 1879.

[No. 270.]

AN ACT to incorporate the village of Edmore.

Territory incorporated.

SECTION 1. *The People of the State of Michigan enact*, That all that tract of land situated in the county of Montcalm, and State of Michigan, known and described as follows, to wit: the east half of the southeast quarter of section twenty (20), and the south half of section twenty-one (21), and the north half of section twenty-eight (28), and the east half of the northeast quarter of section twenty-nine (29), in town twelve (12) north, of range six (6) west be, and the same is hereby constituted a village corporate, to be known as the village of Edmore.

First election.

SEC. 2. The first election of officers of said village shall be held on the second Monday of March, in the year of our Lord one thousand eight hundred and seventy-nine, at the Gilson house, in said village.

Board of registration.

SEC. 3. James S. Crinnes, Richard Robinson, and Alonzo M. Wolaver are hereby constituted a board of registration for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet on the Saturday preceding the second Monday of March, eighteen hundred and seventy-nine, aforesaid, and register the names of all persons, residents of said village, presenting themselves for registration, and having the qualifications of voters at annual township meetings. And notice of the meeting of such board of registration shall be posted in three public places in said village by the board of registration at least ten days previous to said [such] meeting.

Notice of meeting of board of registration.

Notice of first election.

SEC. 4. Notice of said first election of officers of said village shall be posted in three of the most public places in said village at last ten days before the time of said election, which notice may be signed by any five freeholders in said village.

Incorporation under law of 1876.

SEC. 5. The said village of Edmore shall in all things not herein otherwise provided, be governed and its powers and duties defined

by act number sixty-two of the session laws of eighteen hundred and seventy-five, (1875) being an act entitled "An act granting and defining the powers and duties of incorporated villages," and approved April one, eighteen hundred and seventy-five, and acts amendatory thereof.

SEC. 6. This act shall take immediate effect.

Approved February 15, 1879.

[No. 271.]

AN ACT to incorporate the village of Farwell, in the county of Clare.

SECTION 1. *The People of the State of Michigan enact*, That the following described territory to wit: commencing on the section line between sections thirty-five and twenty-six in township number seventeen north, of range number five west, in the county of Clare and State of Michigan, seventeen chains west of the north west corner of section thirty-six of said township and range, thence due north one mile (more or less) to the north line of section twenty-six of said township and range, thence east on the section line between sections twenty-six and twenty-three, and along the section line between sections twenty-five and twenty-four one mile, thence due south one mile (more or less) to the section line between sections twenty-five and thirty-six, thence west along the section line between sections twenty-five and thirty-six and twenty-six and thirty-five to the place of beginning, containing six hundred and forty acres of land (more or less), be and the same is hereby constituted a village corporate to be known as the village of Farwell. Territory incorporated.

SEC. 2. The first election of officers of said village shall be held on the second Monday of March, in the year of our Lord one thousand eight hundred and seventy-nine, at the court-room in the said village: notice of which shall be posted in three of the most public places in said village by the board of registration hereinafter appointed, at least ten days prior to such election: said notice shall also be published at least once in the Farwell Register, a newspaper printed and published in said village; said notice may be signed by any five freeholders residing in said village. First election.
Notice of election.

SEC. 3. James S. Holden, Marquis D. Todd and Emmett T. Holcomb are hereby constituted a board of registration for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet at the office of William W. Green in said village on the Saturday preceding the second Monday of March, eighteen hundred and seventy-nine aforesaid, and register all persons presenting themselves for registration, and having the qualifications of voters at annual township meetings; and said board of registration shall cause notices of said meeting to be posted in three of the most public places in said village at least ten days previous thereto. Board of registration.
Notice of registration.

Incorporation
under law of
1875.

SEC. 4. The said village of Farwell shall, in all things not herein otherwise provided, be governed by, and its powers and duties defined by an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, one thousand eight hundred and seventy-five.

If officers are
not elected.

SEC. 5. In case the said officers are not elected at the time designated in section two of this act, an election for officers may be held [had] at any time within one year from the time designated in said section two of this act on notice being given, as provided in section two.

SEC. 6. This act shall take immediate effect.

Approved February 18, 1879.

[No. 272.]

AN ACT to reincorporate the village of Manchester in county of Washtenaw.

Territory incor-
porated.

SECTION 1. *The People of the State of Michigan enact*, That the territory described as the south three-fourths of the west half of section number one, and the south three-fourths of section number two, and the north half of the north half of section number eleven, and the north half of the northwest quarter of section number twelve, all in township number four, south of range number three east, in the county of Washtenaw, shall be and the same is hereby reincorporated as the village of Manchester.

Officers to con-
tinue in office.

SEC. 2. The officers of said village now in office shall continue in office, with the same powers and shall perform the same duties as are conferred by this act upon like officers, until their successors shall be elected and qualified to enter upon the duties of their respective offices pursuant to the provisions of this act and the general law relating to villages entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, one thousand eight hundred and seventy-five.

Ordinances, etc.,
to continue in
force.

SEC. 3. All ordinances, orders and resolutions of said village of Manchester shall continue in force until modified or repealed.

First election.

SEC. 4. The first election under this act shall be held on the second Monday in March, eighteen hundred and seventy-nine, at the common council rooms, on Exchange Place street, in said village of Manchester. Notice of the time and place of holding such election shall be given by the recorder of said village by publication in a newspaper published in said village, at least two weeks previous to the holding of such election. The present president of said village of Manchester, and the three trustees of said village, whose terms of office would first expire, shall constitute the board of registration, and inspectors of said first election, and said board as a board of registration shall meet on the Saturday previous to the day of holding said first election, at the common council rooms, in said village of Manchester, at nine o'clock in the forenoon of said day, for the purpose of completing the list of

Notice.

Board of regis-
tration.

Meeting of
board.

qualified electors of said village, and in such proceedings, and in the conducting of the said first election, shall have the same power, and shall proceed in the same manner, as near as may be, as is now provided by law for regulating and defining the powers and duties of boards of registration in townships and boards of election at township meetings.

SEC. 5. Said village of Manchester is hereby made subject to the general law, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first one thousand eight hundred and seventy-five; said village of Manchester shall possess all the powers and be subject to all of the duties and liabilities of said act: *Provided, however,* That nothing in this act or in the said general law contained, shall make it incumbent on the said corporation to build or keep in repair any of the bridges now constructed, or hereafter to be constructed, across the River Raisin, or other streams or races within the limits of said village of Manchester: *And provided further,* That for the purposes of building, maintaining, repairing, rebuilding and constructing the said bridges over the said river, streams and races, within the limits of said village, the township within which said village is situate shall be deemed a township as it existed before the incorporation or reincorporation of the said village of Manchester, and shall be subject to all the provisions of the general laws of this State relative to the building, rebuilding, maintaining and keeping in repair such bridges, and such bridges shall be under the control, and subject to the supervision of the proper officer or officers of said township, for all purposes whatever.

Incorporation
under law of
1875.

Provide as to
bridges.

SEC. 6. All justices of the peace, elected and qualified in the township in which said village is situate, and residing within the limits of said village of Manchester, shall have and possess all power and authority of justices of the peace of townships under the general laws of this state, and also all of the powers and authority in said general act contained, and also the further power and jurisdiction to issue process in, hear, try and determine any and all actions, either civil or criminal, within the ordinary jurisdiction of justices of the peace, when either, any, or all of the parties thereto shall reside in the townships of Manchester, Sharon, Freedom, or Bridgewater.

Jurisdiction of
justices residing
in village.

SEC. 7. The said village of Manchester, as reincorporated, shall own and possess all of the property and rights of whatever kind or nature, and subject to all of the liabilities and obligations of the said village, as heretofore incorporated.

Village to retain
rights and
property.

SEC. 8. This act shall take immediate effect.

Approved February 18, 1879.

[No. 273.]

AN ACT to reincorporate the village of Clinton, in the county of Lenawee.

Territory
incorporated.

SECTION 1. *The People of the State of Michigan enact*, That all those tracts or parcels of land situated in the township of Clinton, in the county of Lenawee, and state of Michigan, known and described as being a part of section number five in town five south of range four east, bounded as follows, viz.: beginning at the quarter post in the east line of said section number five, and running thence south along the east line of said section one hundred rods; thence west about two hundred rods to a line running north and south through the center of the east half of the northwest quarter of said section number five; thence north along said line to the north line of Lenawee county; thence east along the north line of said county about two hundred rods, to the northeast corner of said section number five; thence south along the east line of said section to the place of beginning; being about two hundred rods east and west and two hundred and fifty-two rods north and south, be, and the same hereby is reincorporated as a village by the name of the village of Clinton.

Ordinances, etc.,
to continue in
force.

SEC. 2. All the by-laws and ordinances of said village now in force are continued in force until the same shall be changed or repealed according to law.

Officers to con-
tinue in office.

SEC. 3. The officers of said village now holding office shall continue in office for the term for which they were elected, and continue in office until their successors shall be elected and qualified in accordance with the general law relating thereto.

Incorporation
under law of
1876.

SEC. 4. The said village of Clinton is hereby made subject to the provisions of an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and acts amendatory thereof; and the said hereby incorporated village shall possess all the rights and powers and be subject to all the duties and liabilities prescribed in said above mentioned act.

Village to possess
rights, etc., of
former corpora-
tion.

SEC. 5. The village of Clinton hereby reincorporated shall possess all the rights and property, and be subject to all the liabilities and obligations of the said village as heretofore incorporated.

SEC. 6. This act shall take immediate effect.

Approved February 21, 1879.

[No. 274.]

AN ACT to authorize the village of Au Sable, in Iosco county, to borrow money to be used in the construction of a bridge, and to issue bonds therefor.

President and
trustees auth-
orized to borrow
money.

SECTION 1. *The People of the State of Michigan enact*, That the president and trustees of the village of Au Sable, in Iosco county, be and they are hereby authorized [and empowered] to bor-

row, on the faith and credit of said village, a sum not exceeding six thousand dollars for a term not exceeding ten years, at a rate of interest not exceeding eight per cent per annum, and to execute the coupon bonds of said village therefor, under the seal of said village, in such form as they, the said president and trustees shall determine, which bonds shall in no case be disposed of for a less sum than their par value.

SEC. 2. Such money shall not be borrowed, nor such bonds issued, unless a majority of the qualified electors of said village, voting at a special election to be called for the purpose of voting on said loan shall so determine; and said president and trustees are hereby authorized and empowered to call a special election for the purpose of submitting the question of said loan to the qualified electors of said village, giving due notice thereof, by causing the date, place of voting, and object of said election, to be published in some newspaper published and circulating in said village, if any, once in each week for three successive weeks, immediately preceding such election, and by posting notices of the same character in five public places in said village, not less than ten days before said election, which notices shall state the amount of money proposed to be borrowed.

Question to be submitted to electors.

Notice of special election.

SEC. 3. The vote upon such proposition shall be by ballots, either written or printed, or partly written and partly printed. Ballots in favor of such proposition shall be in the following words: "For the bridge loan—Yes;" and ballots against the same shall be in the following words: "For the bridge loan—No." And it shall be the duty of the said president and trustees to provide at the polls of such election, during the whole time while the same shall be open, a sufficient number of ballots both for and against such proposition, printed in the form above indicated, to furnish all the electors desiring to vote thereon. The election shall be conducted and the votes canvassed in all respects as in other village elections, and immediately upon the conclusion of such canvass the inspectors of the election shall make and sign a certificate showing the whole number of votes cast upon such proposition, and the number for and against the same respectively, and not later than the day following such election, said inspectors shall indorse upon such certificate a declaration in writing, over their hands and seals, of the result of such election, which declaration and certificate shall then forthwith be filed with the clerk of said village, to be preserved by him among the archives of said village.

Form of ballot.

Election, how conducted.

SEC. 4. Any money borrowed under the provisions of this act shall be expended in the construction of a bridge over and across the Au Sable river, at such point within said village as the said president and trustees shall determine, and in constructing and grading the approaches thereto, and for no other purpose whatever; and in case of the issue of such bonds it shall be the duty of the said president and trustees, in addition to any taxes now authorized by law to be assessed and collected in said village, to assess and collect in each year thereafter an amount sufficient to pay all interest upon such bonds accruing and becoming payable therein,

How money to be expended.

and also any installment of the principal thereof falling due in any such year, but no more than two thousand dollars of such principal shall be made to become due in any one year, and the said interest shall be payable by the treasurer of said village after the same shall become due, on presentation to him of the proper coupons.

SEC. 5. This act shall take immediate effect.

Approved February 21, 1879.

[No. 275.]

AN ACT to reincorporate the village of Chesaning in the county of Saginaw, and repeal act number four hundred and seventeen of the session laws of eighteen hundred and sixty-nine, entitled "An act to incorporate the village of Chesaning in the county of Saginaw," approved April third, eighteen hundred and sixty-nine.

Territory to be
incorporated.

SECTION 1. *The People of the State of Michigan enact*, That the territory described as the east half of section seventeen, the southeast quarter of section eight, the whole of section sixteen, the south half of section nine, the southwest quarter of section ten, the west half of section fifteen, all in township number nine, north of range number three east, in the county of Saginaw, shall be and the same is hereby reincorporated as the village of Chesaning.

Officers to con-
tinue in office
until successors
elected.

SEC. 2. The officers of said village now in office, shall continue in office with the same powers, and shall perform the same duties as are conferred by this act upon like officers, until their successors shall be elected and qualified to enter upon the duties of their respective offices pursuant to the provisions of this act, and the general law relating to villages entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, one thousand eight hundred and seventy-five.

Ordinances, etc.,
to continue in
force.

SEC. 3. All ordinances and by-laws that were ordained, made and passed by said village of Chesaning on the twenty-fifth day of May, in the year of our Lord eighteen hundred and seventy (1870), and all orders and resolutions of said village of Chesaning shall continue in force until modified or repealed.

First election.

SEC. 4. The first election under this act shall be held on the third Monday of March, eighteen hundred and seventy-nine, at the common council rooms in said village of Chesaning. Notice of the time and place of holding such election shall be given by the clerk of said village of Chesaning by publication in a newspaper published in said village at least one week previous to the holding of such election. The present president of said village of Chesaning, and the three trustees of said village whose terms of office would first expire, shall constitute the board of registration and inspectors of said first election, and said board as a board of registration shall meet on the Saturday previous to the day of holding said first election, at the common council rooms in said village

Notice.

Board of regis-
tration.

Meeting of board.

of Chesaning, at nine o'clock in the forenoon of said day, for the purpose of completing the list of qualified electors of said village, and in such proceedings, and in the conducting of the said first election, shall have the same power, and shall proceed in the same manner as is now provided by law for the regulating and defining the powers and duties of boards of registration in townships and boards of election in township meetings.

SEC. 5. Said village of Chesaning is hereby made subject to the general law entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, one thousand eight hundred and seventy-five; said village of Chesaning shall possess all of the powers and be subject to all the duties and liabilities of said act: *Provided, however*, That nothing in said act or in the said general law contained shall make it incumbent on the said corporation to build or keep in repair any of the bridges, or approaches to said bridges, now constructed, or hereafter to be constructed across the Shiawassee river within the limits of said village of Chesaning: *And provided further*, That for the purposes of building, repairing, maintaining, rebuilding and constructing the said bridges and approaches to said bridges over the said river, within the limits of said village, the township within which said village is situated shall be deemed a township, as it existed before the incorporation or reincorporation of the said village of Chesaning, and shall be subject to all the provisions of the general laws of this state relative to the building, rebuilding, maintaining and repairing such bridges and approaches; and such bridges and approaches shall be under the control and subject to the supervision of the proper officer of said township, for all purposes whatever.

Incorporation under law of 1875.

Proviso as to bridges.

Further proviso.

SEC. 6. The said village of Chesaning, as reincorporated, shall own and possess all of the property and rights, of whatever kind or nature, and be subject to all the liabilities and obligations of the said village as heretofore incorporated.

Village to own property, etc., of former corporation.

SEC. 7. Act number four hundred and seventeen of the session laws of eighteen hundred and sixty-nine, entitled "An act to incorporate the village of Chesaning, in the county of Saginaw," approved April third, eighteen hundred and sixty-nine, and all acts amendatory thereof, are hereby repealed.

Act repealed.

SEC. 8. This act shall take immediate effect.

Approved February 27, 1879.

[No. 276.]

AN ACT to incorporate the village of White Cloud in the county of Newaygo.

SECTION 1. *The People of the State of Michigan enact*, That the following lands and territory in the township of Everett, county of Newaygo and State of Michigan, described as follows, to wit: The northwest quarter of section four, the north half of section

Territory incorporated.

five, and the northeast quarter of section six, all being in township number thirteen north of range number twelve west. Also, the southeast quarter of section thirty-one, the south half of section thirty-two, and the southwest quarter of section thirty-three, all being in township number fourteen north of range number twelve west, be and the same is hereby created a village corporate, by the name of the village of White Cloud, by virtue of and under the provisions of act number sixty-two of the session laws of eighteen hundred and seventy-five, entitled "An act granting and defining the powers and duties of incorporated villages," approved April the first, eighteen hundred and seventy-five.

First election.

SEC. 2. The first election for officers of said village shall be held on the second Tuesday of March, in the year of our Lord eighteen hundred and seventy-nine, at Decker's Hall, in said village, notice of which election shall be posted in three public places in said village, by the board of registration hereinafter appointed, at least ten days previous thereto.

Board of registration.

SEC. 3. On the Saturday previous to the second Tuesday in March in the year of our Lord eighteen hundred and seventy-nine, Henry M. Carroll, George E. Ehle, and Frederick Ramsey shall act as a board of registration, and shall meet at such place as said board shall designate, for the purpose of registering the names of the legal voters of said village; due notice of which shall be given by said board in the manner provided in the preceding section.

SEC. 4. This act shall take immediate effect.

Approved February 27, 1879.

[No. 277.]

AN ACT to amend sections two and nineteen of act number two hundred and seventy-four of the session laws of eighteen hundred and seventy-one, entitled "An act to incorporate the village of Rockford," approved April fifteenth, eighteen hundred and seventy-one.

Act amended.

SECTION 1. *The People of the State of Michigan enact*, That sections two and nineteen of act number two hundred and seventy-four of the session laws of eighteen hundred and seventy-one, being an act entitled "An act to incorporate the village of Rockford," approved April fifteenth, eighteen hundred and seventy-one, be and the same is hereby amended so as to read as follows:

Election of officers.

SEC. 2. The inhabitants of said village having the qualifications of electors under the constitution of the State of Michigan, shall meet at such place in said village as the present clerk of said village shall designate, on the first Monday of May next, and then and there proceed, by a plurality of votes, to elect, by ballot, from among the qualified electors residing in said village, three trustees, for the term of one year, and three trustees for a term of two years; also, one president, one recorder, one treasurer, and one assessor, who shall hold their respective offices until the first Monday of

March eighteen hundred and seventy-two, and until their successors are elected and qualified; and on the first Monday of March, annually, thereafter, at such place within said village as the recorder shall designate, then and there, in like manner, shall elect three trustees for the term of two years, one president, one recorder, one treasurer, and one assessor, who shall hold their offices for one year, and until their successors are elected and qualified: *Provided*,^{Proviso.} That if an election of such officers shall not be made on the day provided for in this act, the said corporation shall not, for that cause, be deemed dissolved, but such election may be held at any time thereafter, due notice thereof being given.

SEC. 19. The liability to assessment and taxation of personal estate within the limits of said corporation shall be estimated at the amounts possessed by the owner, his or her agent or trustee, on the third Monday of March, in each year, and all resident real estate to the person owning it on that day, if known, and non-resident lands and such as the owner whereof cannot be ascertained, to be placed on the roll by itself; and whenever the assessor of said village shall have completed his assessment roll and valuation of the property, real and personal, in said village, it shall be his duty to give notice thereof by publishing in any newspaper printed in said village, by at least two weekly insertions, stating the place and time when the said roll is to be left for the inspection of all persons interested, or cause such notices to be posted in three public places in said village, at least ten days before the time fixed by him, to meet and hear objections to the assessments in said roll so made by him; and the said assessor, at such meeting, on the application of any person considering himself or herself aggrieved, may review and reduce the valuation and correct such assessment, on sufficient cause being shown, upon oath, to the satisfaction of said assessor: *Provided, also*, All property, real and personal, within the limits of said village, except such as is exempted by the general laws of the State, shall be liable to assessment and taxation under the provisions of this act.^{Assessment, how made.}
^{Notice of completion of roll.}

SEC. 2. This act shall take immediate effect.

Approved February 27, 1879.

[No. 278.]

AN ACT to extend the time for the collection of state and county taxes in the city of Detroit.

SECTION 1. *The People of the State of Michigan enact*, That the time for the collection of state and county taxes in the city of Detroit, in the county of Wayne, for the year eighteen hundred and seventy-eight, be and the same is hereby extended to the first day of April, eighteen hundred and seventy-nine.^{Time extended.}

SEC. 2. The collectors of the several wards in said city of Detroit are hereby authorized and empowered to proceed and collect said taxes as fully as they could in the lifetime of their warrants, and^{Collectors authorized to collect.}

to make returns at any time before the first day of April next, and the said warrants are hereby extended and continued in full force and virtue for the purpose aforesaid until the first day of April next.

Collectors to pay
over moneys and
renew bonds.

SEC. 3. It shall be the duty of the collectors of said wards before they shall be entitled to the benefits of this act to pay over all moneys collected during the lifetime of their warrants as is now provided by law, and to renew their official bonds to the satisfaction of the treasurer of said county.

Transcript to be
returned to
auditor general.

SEC. 4. A transcript of all unpaid taxes, returnable to the county treasurer in pursuance of the foregoing provisions, shall be returned to the Auditor General as soon as practicable, and such unpaid taxes shall be collected in the same manner, and with interest computed for the same time as other taxes for the year eighteen hundred and seventy-eight.

Treasurer to pay
money to state.

SEC. 5. The county treasurer of the county of Wayne shall pay over all moneys paid to him by said collectors and tax-payers, on or before the first day of March next, that belong to the State.

SEC. 6. This act shall take immediate effect.

Approved February 27, 1879.

[No. 279.]

AN ACT to incorporate the village of Brooklyn.

Territory
incorporated.

SECTION 1. *The People of the State of Michigan enact*, That all that tract of country situated within the township of Columbia, county of Jackson and state of Michigan, bounded and described as follows, to wit: commencing at the northwest corner of section thirty, town four south of range two east, and running thence south to the south boundary line of lands belonging to the Detroit, Hillsdale and Southwestern railroad company; thence northeasterly along the said south boundary of said company's land to its intersection with the east side of the continuation of Monroe street, known as the Monroe state road; thence northerly and westerly along the east side of said highway and street to a point two hundred feet east of the east side of Union street, leading south from the Union school-house; thence north and parallel with Union street and across the Brooklyn mill-pond to the north line of the highway leading southeasterly from the Brooklyn mills; thence northwesterly along the north line of said highway to the waters of the river Raisin; thence northerly along the east bank of said river Raisin to a point due east from the southeast corner of the old cemetery grounds; thence west to said cemetery grounds, and along the south boundary thereof to the edge of marsh lands bordering on Goose creek; thence southerly and westerly to the west line of the east half of the east half of section twenty-four, town four south of range one east; thence south on said west line to the north side of Marshall street; thence west along the north side of said Marshall street four hundred and thirty-three and one-half feet; thence

south to the south line of said section twenty-four; thence east on said south line of section twenty-four to the southeast corner thereof; thence south to the place of beginning, be, and the same is hereby made and constituted a village corporate, by the name of the village of Brooklyn.

SEC. 2. The first election for said village shall be held in the wigwam building on the second Monday of April, in the year of our Lord eighteen hundred and seventy-nine, and the polls shall be opened at eight o'clock in the forenoon and shall be kept open until five o'clock in the afternoon, at which hour they shall be closed and the result ascertained and announced in accordance with the requirements of the general law of this state granting and defining the powers and duties of incorporated villages. First election.

SEC. 3. To provide for the registration of voters, Hiel Woodward, Joseph M. Griswold and George W. Bertram are hereby constituted the first board of registration, who shall on the Saturday previous to the day above appointed for the election, be at the place above designated for the purpose of registering voters, and their duties and obligations shall be governed by the general laws provided for registering electors in townships. It shall also be their duty to give notice at least eight days previous to the election above provided for by posting up written or printed notices in three conspicuous places in said village of the time for and the officers to be elected at said election. Board of registration.
Notice of meeting of board.

SEC. 4. The village hereby incorporated shall be subject to the general law of the state granting and defining the powers and duties of incorporated villages approved April first, eighteen hundred and seventy-five, and shall possess all of the powers and be subject to all of the duties and liabilities of said act: *Provided, however,* That nothing in this act or in the said general law contained, shall make it incumbent on the said corporation to build or keep in repair any of the bridges now constructed or hereafter to be constructed across the river Raisin, or other streams or races within the limits of said village of Brooklyn: *And provided further,* That for the purpose of building, maintaining, repairing, rebuilding, and constructing the said bridges over the said river, streams and races within which said village is situated, shall be deemed a township as it existed before the incorporation of the said village of Brooklyn, and shall be subject to all the provisions of the general laws of the [this] state relative to the building, rebuilding, maintaining and keeping in repair such bridges, and such bridges shall be under the control and subject to the supervision of the proper officer or officers of said township for all purposes whatever. Incorporated under law of 1875.
 proviso as to bridges.

SEC. 5. This act shall take immediate effect.

Approved February 27, 1879.

[No. 280.]

AN ACT to incorporate the village of Petoskey.

Territory in-
corporated.

SECTION 1. *The People of the State of Michigan enact, That the following lands and territory in the townships of Bear Creek and Little Traverse, county of Emmet, and described as follows, to wit: Commencing at the northwest corner of lot number three, section six, town thirty-four north of range five west, running thence south one hundred and eleven rods to the southwest corner of said lot number three, thence east on the quarter line running east and west through said section six, forty rods, thence south eighty rods, thence east eighty rods, thence south eighty rods to the section line, thence east on the section line between sections six and seven and five and eight, three hundred and sixty rods to the southeast corner of the southwest quarter of the southeast quarter of section five in said town and range aforesaid, thence north on the east eighth line of [said] section five to the northeast corner of the northwest quarter of the northeast quarter of said section five, thence west on the section line to the northwest corner of northwest quarter of the northeast quarter of said section five, thence north on the quarter line of section thirty-two, town thirty-five north of range five west to the shore of Little Traverse Bay, thence southwesterly and along the low water mark of said Bay to the place of beginning, be and the same is hereby constituted a village corporate, by the name of the village of Petoskey.*

First election.

SEC. 2. The first election for officers of said village shall be held on the fourth Tuesday in April in the year one thousand eight hundred and seventy-nine, at the Clifton House in said village, notice of which shall be posted in three public places in said village by the board of registration hereinafter appointed, at least ten days previous thereto.

Board of regis-
tration.

SEC. 3. George Richmond and George Wetmore are hereby constituted a board of registration, for the purpose of registering voters for the first election to be held in said village, and the said board of registration are hereby required to meet on the Saturday preceding the fourth Tuesday in April, one thousand eight hundred and seventy-nine aforesaid, and register all persons presenting themselves for registration, and having the qualifications of voters at annual township meetings, and shall meet at the Clifton House for the purpose of registering said voters as aforesaid, due notice of which shall be given by said board in the same manner and time as provided in the preceding section.

How bridges
maintained.

SEC. 4. The bridge or bridges now built, or that may hereafter be built across Bear River within the territory described in section one of this act, shall be built and maintained by the township of Bear Creek at large, in the same manner as though the said village was not incorporated.

Incorporated
under act of
1873.

SEC. 5. The said village of Petoskey shall in all things, not herein otherwise provided, be governed by, and its powers and duties defined by "An act granting and defining the powers and

duties of incorporated villages," approved April first, eighteen hundred and seventy-five.

SEC. 6. In case the said officers are not elected at the time designated in section two of this act, an election for officers may be had at any time within one year from the time designated in said section two of this act, on notice being given as provided by section two of this act. Election may be held at any time within one year.

SEC. 7. This act shall take immediate effect.

Approved February 27, 1879.

[No. 281.]

AN ACT to appropriate the non-resident highway tax one mile on each side of the Caro and Wells state road, and to repair and finish the same.

SECTION 1. *The People of the State of Michigan enact,* That the commissioner of highways of the township of Indian Fields and the commissioner of highways of the township of Wells, Tuscola county, be and are hereby appointed commissioners to repair and finish a state road commencing on the south side of Cass river, opposite the village of Caro, in said county, where the so-called Sucker Creek road crosses said river, and terminating at Hurd's Corners in said county, and now known as the Caro and Wells state road. Commissioners of highways to finish road.

SEC. 2. For the purpose of constructing said road there is hereby appropriated all the non-resident highway tax one mile each side of the line of said road (inclusive of the smallest subdivision of land) for the term of five years from the passage of this act. Non-resident tax appropriated.

SEC. 3. The state shall not be liable for any expense sustained by the reason of this act, but the township through which said road passes shall pay said commissioners one dollar and fifty cents per day for their services for the time necessarily and actually expended by them. Payment of commissioners.

SEC. 4. Any overseer of highways or township treasurer, or county treasurer, of Tuscola county, having received any portion of such non-resident highway tax, shall on demand of the commissioners herein provided for, pay over to such commissioners any such sums of money, and said commissioner's receipt therefor shall release such overseer or treasurers of [from] liability. Overseers of highways to pay over moneys to commissioners.

SEC. 5. It shall be the duty of such commissioners to render to the board of supervisors of said county, at their annual session, a true account, on oath or affirmation, of the receipt and disbursement of all moneys received by them during each year from such township respectively, and shall also make such report to the auditor general on or before the first day of November of each year. Commissioners to report to board of supervisors.

SEC. 6. Said commissioners, before they shall be entitled to receive any moneys so collected as aforesaid, shall make and execute to the county treasurer of said county a bond in the sum of two thousand dollars, with such sureties as the said county treasu- Commissioners to give bonds.

rer of said county shall approve, conditioned that they will faithfully apply, according to law, all moneys received by them by virtue of this act, which bond shall be filed in the office of the county clerk of said county.

SEC. 7. This act shall take immediate effect.

Received in the executive office February 27, 1879.*

[No. 282.]

AN ACT to amend sections two, three, five, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-four, thirty-one, thirty-three, thirty-four and forty-four of the revised charter of the village of Albion, being an act entitled "An act to incorporate the village of Albion," approved March sixth, in the year of our Lord eighteen hundred and sixty-nine, and being act number two hundred and fifty-one of the session laws of eighteen hundred and sixty-nine.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That sections two, three, five, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-four, thirty-one, thirty-three, thirty-four and forty-four of the revised charter of the village of Albion, being an act entitled "An act to incorporate the village of Albion," approved March sixth, eighteen hundred and sixty-nine, and being act number two hundred and fifty-one of the session laws of eighteen hundred and sixty-nine, be and the same are hereby amended so as to read as follows:

Officers of
village.

SEC. 2. The officers of said village shall consist of a president, recorder, treasurer, marshal, eight trustees and one assessor. The president and trustees shall constitute the common council of said village, and the common council of said village shall appoint a street commissioner, an engineer of the fire department, define their powers and duties and fix their compensation, and may appoint such other officers as may be necessary under the provisions of this act, define their powers and duties and fix their compensation. The officers hereinbefore expressly named shall be elected (except the filling of vacancies as hereinafter provided) by a plurality of votes by the inhabitants of said village, having the qualifications of electors under the constitution of this state.

Election of
officers.

SEC. 3. The electors of said village shall meet at such time and place as shall be designated by the common council, on the second Monday of March of each year, and there by ballot, shall elect, by a plurality of votes, one person who is an inhabitant of said village, as hereinafter provided, and a qualified elector thereof, to be president of said village, and one person of like qualifications shall in like manner be elected recorder, one person as aforesaid shall be elected treasurer, one person as aforesaid shall be elected marshal, four persons as aforesaid shall be elected trustees, and one person

* Became a law under section 14, article IV., of the constitution, without the approval of the governor.

as aforesaid shall be elected assessor. If two or more persons shall have an equal number of votes for the same office, the election board shall determine by lot which shall be elected. The trustees shall each of them hold their offices for two years. All other officers, herein specially provided for, shall be elected annually. The trustees heretofore elected in pursuance of the provisions of the act to which this act is amendatory, shall continue to hold their offices for and during the time for which they were respectively elected. But if an election of officers shall not be made in any year on the day when, pursuant to this act, it ought to be made, the said corporation shall not for that cause be dissolved, and it shall be lawful to hold such election at any time thereafter, public notice being given as prescribed hereinafter for the holding of the regular [election] elections.

Term of office.

Trustees heretofore elected to continue in office.

In case election is not held on day specified.

SEC. 5. The president shall be the chief executive officer of the village; he shall preside at all meetings of the common council, and it shall be his duty to see that all the officers of said village faithfully discharge their duties. On the second Tuesday in March in each year or as soon thereafter as may be the common council shall appoint one of their number president *pro tempore* of the common council, who in the absence of the president shall preside at the meetings thereof, and exercise the powers and duties of the president: and in the absence of the president and president *pro tempore* the common council shall appoint one of their number to preside; and in case of death, resignation, or the removal of any of the officers otherwise specially named in this act, during the time for which they were elected, the common council shall have power to fill such vacancy by the appointment of some other person or persons possessing the qualifications hereinbefore named: *Provided*, The term of such appointment shall not extend beyond the annual election, at which time such vacancy shall be filled by election as provided for the election of other trustees.

Duties of president.

Council to appoint president pro tem.

Council to fill vacancies.

SEC. 14. The common council shall have power to borrow any sum of money, or contract any indebtedness, for public improvements [improvement] in said village, not exceeding one thousand dollars in any one year, and not at a greater rate of interest than now is or may hereafter be allowed by the laws of the State of Michigan; and to fix the time and place of payment of principal and interest, and to issue the bonds, or other evidences of indebtedness of said village, for the payment of the same. But a greater sum may be borrowed in any one year, at the rate of interest above named: *Provided*, The question of raising such greater sum shall first be submitted to the electors of said village, at its annual election, or at a special election called for that purpose, by the common council: *Provided*, Two-thirds ($\frac{2}{3}$) of the qualified electors thereat, voting at such election shall vote, by ballot, for such loan.

Council may borrow money.

SEC. 15. The assessor of said village shall, once in each year, and before the second Monday of April, make an assessment roll containing a description of all real estate (not exempt from taxation by the provisions of this act), and personal property in said village, and the name of the owner or occupant thereof, and the names of

Assessor to make assessment.

Review of assessment roll.	all persons liable to a poll tax, as provided for in this act, and shall set down in such roll the valuation of all such property at its fair cash value, and deliver the same to the president of said village.
Apportionment of taxes.	<p>SEC. 16. It shall be the duty of the common council, once in each and every year, and within five (5) days after the assessor has assessed the real and personal estate lying and being in said village and delivered the assessment roll to the president of said village (and before any tax shall be levied thereon) to give ten days' notice, by publishing thereof, the time and place of reviewing said assessment roll, under the supervision of the president and assessor, that any person or persons deeming themselves aggrieved, may be heard; and the roll may then and there be altered if it shall appear that any person has been wrongfully assessed. After the expiration of the said ten days, and of the day or days for the reviewing of the said assessment roll, the common council shall immediately proceed to estimate, apportion and set down, in columns left for those purposes, opposite the names of the several persons and property therein named, respective sums in dollars and cents to be paid as a tax or assessment on said persons and property for general village purposes, for highway or district street purposes, and as a poll tax, and special tax, and shall cause said assessment roll, or a copy thereof, to be delivered to the treasurer of said village, on or before the first Monday in May thereafter, with a warrant annexed thereto, under the hand of the president, seal of the village, and attested by the recorder, directing and requiring the said treasurer to collect from the several persons named in said roll the several sums mentioned therein set opposite their respective names as taxes or assessments, and authorize him, in case any of them shall refuse or neglect to pay such sums, to levy the same by distress of his or her goods and chattels, together with the costs and charges of such distress and sale, and directing him to place such moneys when collected to the credit of the proper fund of said village; and when any assessment shall be made, or tax levied for any special improvement or purpose named in this act, it shall be legal, even if it is [it's] not made at the time of making the aforesaid annual list, notice being given of the review of said assessment as hereinbefore provided, and a warrant may be issued as aforesaid to be delivered to the treasurer to collect the tax so levied and assessed for any special purpose named in this act requiring the said treasurer to collect the respective sums of the persons named in said warrant in like manner and time as is herein required for the collection of the annual tax, and within such time as may be ordered by the common council.</p>
Roll to be delivered to treasurer.	
Treasurer to collect taxes.	
How special tax may be legally levied.	
Proceedings in case of refusal to pay taxes.	<p>SEC. 17. If any person shall refuse or neglect to pay the sum or sums at which he shall be taxed or assessed as aforesaid, the treasurer is hereby authorized and required to levy the same by distress and sale of the goods and chattels of the person who ought to pay the same, first giving notice thereof, as is required by law to be given by township treasurers, and in case the goods and chattels distressed shall be sold for more than the amount of tax or assess-</p>

ment, with the charges of distress and sale, the surplus shall be paid to the owner of such goods and chattels on demand.

SEC. 18. It shall be the duty of the street commissioner to perform or cause to be performed all such labor, repairs and improvements upon the highways, streets, sidewalks, alleys, bridges, reservoirs, drains, culverts, sewers, public grounds and parks within the village as the common council shall direct to be done by or under his supervision, and to oversee and do whatever may be required of him in relation thereto by the common council.

Duties of street commissioner.

SEC. 19. In case the tax levied on the real and personal property in said village shall amount to the three-fourths ($\frac{3}{4}$) of one per cent as authorized in section nine (9) of said charter it shall be lawful and the treasurer is hereby authorized to add the collection fees thereto as provided in section twenty-four (24) of said charter.

When treasurer authorized to add collection fee.

SEC. 20. The tax upon real estate levied and assessed for the purposes named in section eight (8) of this act shall be put down in the general and special assessment or tax rolls authorized by the provisions of this act, by itself in a column, as hereinbefore provided; and whenever any such tax so levied and assessed, and the interest thereon, which said interest shall be computed at the rate of fifteen per cent (15%) per annum until paid, shall remain unpaid for two years from the date of warrant to the treasurer as provided for in section sixteen (16) of this act, the treasurer of said village shall cause so much of the land charged with such tax levied and assessed and the interest thereon as aforesaid, to be sold at public auction at some public place in said village, to the highest bidder as shall be necessary to pay the said taxes so levied and assessed and interest, together with all charges thereon, first giving at least four months' notice of the time and place of said sale by advertisements posted in three prominent public places in said village or by causing the same to be published in a newspaper in said village, and an affidavit of such advertisement or publication in the manner aforesaid, entered at large upon the records of the corporation made by the recorder thereof or the publisher of the paper in which printed, shall be deemed *prima facie* evidence of such advertisement or publication.

Tax upon real estate to be put down in a separate column.

Land to be sold if taxes remain unpaid two years

Notice of sale.

What to be deemed evidence of notice.

SEC. 24. The treasurer, before entering upon the duties of his office, shall be required to execute and deliver to the recorder, his bond with two sureties, to be approved by the common council, conditioned for the safe keeping and disbursement of all moneys that may come into his hands as treasurer of said village, in the manner prescribed or ordered by the common council thereof; which bond may be required to be renewed at any time by the common council; he shall have the custody of all moneys, bonds, (other than official), mortgages, notes, leases, and evidences of value belonging to the village; he shall receive all moneys belonging to and receivable by the corporation, and keep an account of all receipts and expenditures thereof; he shall pay no money out of the treasury, except in pursuant of and by authority of law, and upon warrants signed by the recorder and president, which shall specify the fund to be drawn from; he shall keep an account

Treasurer to give bond.

To have custody of moneys, bonds, etc.

To keep account of receipts and expenditures.

To make a monthly report to recorder if required.

To make annual report to council.

To take vouchers for moneys paid out.

When to remain at office for collection of taxes.

Fees for collection.

When tax roll to be returned and settlement made. Council to have power to levy taxes on taxable property at any time.

Treasurer to collect the same as other taxes.

How lands may be taken for public purposes.

Notice to be given to parties interested.

of and be charged with all taxes and moneys appropriated, raised, or received for each fund of the corporation, and shall keep a separate account of each fund, and shall credit thereto all moneys raised, paid in or appropriated therefor, and shall pay every warrant out of the particular fund raised for the purpose for which the warrant was issued. The treasurer shall render to the recorder on the first Tuesday of every month, if required, a report of the amount received or credited by him to each fund and on what account received, and the amount paid out, by him, from each fund, during the preceding month, and the amount of money remaining in each fund on the day of his report; he shall also exhibit to the common council, annually, on the first Monday in March, and as often, and for such periods, as the common council shall require, a full and detailed account of the receipts and disbursements of the treasury since the date of the last annual report; classifying them therein, by the funds to which such receipts are credited, and out of which such disbursements are made, and the balance remaining in each fund, which report shall be spread upon the records of said village; said treasurer shall take vouchers for all moneys paid from the treasury, showing amounts and funds from which payment was made, which vouchers upon settlement with the proper officers of the village shall be surrendered and filed with the village recorder. The treasurer, upon receiving the tax roll and warrant, shall, for the purpose of collecting the taxes therein mentioned, be and remain at his office or place of business, on every Friday of each and every week, after receiving such list, until and including the last Friday in the month of June, and upon all taxes paid or tendered to him on such days, or at any other time before the first day of July next thereafter, he shall add one per cent (1%) for collection fees, and upon all taxes collected by him after the first day of July, he may add three per cent (3%) for collection fees: *Providing*, That the fees, so added and collected, shall be in full payment for his services as village treasurer (except as hereinafter provided), and the annual tax roll shall be returnable, by said village treasurer, by the first day of August in each year, and settlement made with the common council. The common council shall have power to levy and assess on any parcel of land, or real estate, upon which taxes are by this act authorized to be levied and assessed, by them, for the special purposes herein named, at any time, and to issue a warrant to the treasurer for the collection thereof, and the powers and the duties of the treasurer pertaining thereto, shall be the same as are hereinbefore prescribed, for the collection of taxes levied and assessed on real estate.

SEC. 31. Whenever the lands and buildings thereon within the limits of said village shall be required to be taken for extending, widening, or opening of any street, lane, or alley, the common council shall give written notice thereof to the owner, owners, or parties interested therein, his, her or their agent, agents or representatives, by personal service, which notice shall be attested by the recorder over the seal of the corporation; but in case such

owners, their agents or representatives do not reside within the corporate limits of said village, then by publication in the newspapers published in said village, for three successive weeks; and in case no newspaper is published in said village, by posting in five prominent public places in said village the notice as aforesaid, for three weeks previous to which action shall be had thereon. After said notice shall have been given in the manner or for the period above named, the common council are hereby authorized to negotiate with such person or persons for the lands and buildings thereon for the purposes named in such notice; and if said parties, or any of them, shall agree upon the damages, or the same be ascertained by the jury herein provided, the same shall be paid out of the general fund of said village to the parties entitled thereto; and if such persons, or any one or all of them, shall refuse or neglect to negotiate for the same, or if the parties, or any one of them thus negotiating cannot agree therefor, then the common council shall have power and authority to direct any justice of the peace of the township of Albion or Sheridan to issue a *venire facias* to command any constable of the said county of Calhoun to summon and return a jury of twelve (12) disinterested freeholders in said county to appear before him at a time named in said *venire facias*, not less than six (6) nor more than ten (10) days from the date thereof, to inquire into the necessity of using such lands for the public benefit and the just compensation to be made for such lands and buildings thereon to the owner or owners thereof, which jury being first duly sworn by said justice of the peace faithfully and impartially to inquire into the necessity of using such lands or premises and the just compensation to be made therefor, including the buildings thereon, and having viewed the premises, shall determine such necessity, and if found to be necessary for the public use and benefit to take such lands and premises, shall award such damages and compensation as they shall judge fit to be awarded to the owner or owners thereof, or parties interested in such lands and premises and the buildings thereon, for their respective losses according to their respective estates therein; and the said justice of the peace shall upon the return of such assessment or verdict enter judgment therefor confirming the same and such sum or sums so awarded, together with all costs, shall be paid or legally tendered before such streets, lane, or alley shall be so extended, widened or opened and established, to the claimant or claimants to whom the same was awarded by such jury, as they in their judgment may deem just and equitable, and shall put said damages so found by them, in writing, sign and deliver the same to the president of said village, and if the award of said jury be approved by the common council of said village, and if no appeal be taken as hereinafter provided the said premises shall vest in said corporation: *Provided, however,* That where the sum or sums so awarded exceed the sum of three hundred dollars, the same shall not be approved by the common council, nor paid to the owners of the property or parties interested unless a majority of the qualified electors of said village voting thereon shall so determine at an election to be called for that purpose by the common council.

How given when parties interested are non-residents.

Council may negotiate with parties interested.

Proceedings in case parties interested refuse to negotiate or fail to agree.

Constable to summon jury.

Jury to inquire into the necessity of taking lands.

To award damages.

Justice to enter judgment.

Award of jury to be delivered in writing to president.

Award to be approved by council.

Proviso relative to approval of award by electors.

Power of council
to levy taxes for
special purposes.

Treasurer to
collect the same.

Common coun-
cil to be com-
missioners of
streets.

Council to
appoint street
commissioner.
To levy highway
taxes.

To have control
of highway
moneys.
Proviso as to
fences.

License moneys
to be paid to
treasurer.

Fines and pen-
alties.

SEC. 33. The common council shall have power to levy and assess on any parcel of land or real estate upon which taxes are by this act authorized to be levied and assessed by them, for the special purposes herein named, at any time, and to issue a warrant to the treasurer for the collection thereof; and the powers and duties of the treasurer pertaining thereto shall be the same as are hereinbefore prescribed for the collection of taxes levied and assessed on real estate.

SEC. 34. The common council as hereinbefore provided shall be the commissioners of streets and highways within the limits of the village, and shall have the same powers and perform the same duties as by law belong to commissioners of highways and streets in the several townships of this state, and shall district the same into four or more highway or street districts and appoint a street commissioner to keep in repair the highways, streets and alleys, and shall cause a tax to be levied, assessed and collected in each of said districts, as hereinbefore authorized, for constructing and repairing the highways or streets in said village, and shall have exclusive control of the highway moneys levied, assessed and collected in said village: *Provided*, That their powers to order fences to be removed and to remove such fences themselves, and to open, widen or extend streets or highways and alleys shall not be restricted, and shall have authority to exercise such power at any time during the year.

SEC. 44. All moneys received for licenses granted under the provisions of this act shall be immediately paid over to the treasurer of said village, to be credited to the general fund thereof, and all moneys arising from fines and penalties recovered for the violation of any penal ordinance under the provisions of this charter, shall be paid into the treasury to be distributed according to law.

SEC. 2. This act shall take immediate effect.

Approved February 27, 1879.

[No. 283.]

AN ACT to organize union school district of the village of Chesaning.

Territory
organized.

SECTION 1. *The People of the State of Michigan enact*, That the following described territory, situate in the township of Chesaning, in the county of Saginaw, to-wit: Sections nine, ten and sixteen, the north half of section twenty, north half of section nineteen, south half of section eighteen, south half of section seventeen, west half of section fifteen, northwest quarter of section twenty-two, all of section twenty-one west of the Shiawassee river, and the north half of section twenty-one east of the Shiawassee river, shall constitute one school district, which shall be a body corporate, by the name of union school district of the village of Chesaning, and by that name may sue and be sued, and shall be subject to all the general laws of this state relative to corporations,

Name.

so far as the same may be applicable; and such district shall have all the powers and privileges conferred upon school districts of this state by the general law, all the general provisions of which relating to primary schools shall apply to and be in force in said district, except such as shall be inconsistent with this act, or with the by-laws and ordinances of the board of education hereinafter mentioned, made in pursuance of this act.

Powers of district.

SEC. 2. All schools in said district, organized under this act, shall be open to all persons, actual residents within the limits of said district, over five years of age, and to such other persons as said board shall admit.

To whom school to be open.

SEC. 3. The officers of said district shall consist of six trustees, to be called the board of education of the village of Chesaning. The term of office of said trustees shall be three years, two of whom shall be elected annually by ballot, at the annual meeting of said district, which shall be held on the last Monday of May in each year; and within ten days after an annual election the trustees shall meet and elect from their own number a president, secretary and treasurer, who shall severally hold their offices for one year, and until their successors shall be elected and qualified; and said board may at any time fill, by a new election, any vacancies that may occur in either of said offices; and the powers and duties of such president, secretary and treasurer shall severally be the same as those of moderator, director and assessor of school districts organized under the general laws of this state, except as the same are varied by the provisions of this act and the by-laws and ordinances of said board.

Officers.

Term of office and how elected.

Officers of board.

Powers and duties.

SEC. 4. The secretary of said board shall give at least ten days' previous notice of the annual, and of all special meetings of said district, by posting notices thereof in at least three public places in said village of Chesaning, specifying the hour, place and object of holding the same; and a copy of such notice shall be recorded in the book in which the records of the proceedings of such meeting shall be kept, with the certificate of the secretary, showing when and where the same were posted, and such record shall be *prima facie* evidence that due notice of such meeting has been given according to its terms.

Notice of meetings.

SEC. 5. Said board of education shall have power to fill all vacancies that may occur in the office of trustee until the next annual meeting of the district, when the same shall be filled by election; and each trustee, within ten days after notice of his election, whether elected by said district or by said board, shall file with the secretary an acceptance of office, in writing; and it shall be the duty of the secretary to notify each trustee of his election immediately thereafter.

Vacancies, how filled.

Trustee to file acceptance.

SEC. 6. The treasurer of said district, before entering upon the duties of his office, shall give bond to said district, in such sum and with such surety or sureties as the said board of education shall require and approve, conditioned for the faithful performance of the duties of his office, which bond shall be filed with the secretary.

Treasurer to give bond.

SEC. 7. The treasurer shall receive and hold, subject to the order

All money to be held by treasurer.	of said board, all moneys belonging to said district, from whatever source derived, and it shall be the duty of the county treasurer and of the treasurer of the said township of Chesaning, to pay over to him, on his application therefor, all moneys that shall come to their hands respectively belonging to said district.
How money paid.	SEC. 8. No money of said district shall be paid by said treasurer except on the order of said board of education, signed by the secretary and countersigned by the president of the board; and it shall be the duty of such treasurer to pay such orders to the extent of the funds in his hands, on presentation thereof.
Quorum.	SEC. 9. A majority of the members of said board shall constitute a quorum, and said board shall meet from time to time, at such place in said village of Chesaning as they may designate. Said board of education shall succeed to and exercise, within the limits of said district, all the powers, and perform all the duties of school inspector and township superintendent of schools; and the board of school inspectors in the township of Chesaning shall have no jurisdiction over said district, except as hereinafter provided. Said
Powers of board as to inspecting and hiring teachers.	board of education, before hiring any teacher, shall examine into his or her qualifications, and said board may be assisted at such examination by any one chosen by the board for that purpose; and all teachers employed by the said board of education shall be considered and deemed legally qualified; and said board shall deliver to them, respectively, a certificate, stating the branches they have been found qualified to teach, which certificate shall continue in force for two years, unless sooner annulled by the said board for cause, and, on such certificate being annulled, any contract for the employment of the teacher named therein shall cease, and be determined as though the term of such employment had expired.
Examination of teachers.	SEC. 10. Said board of education shall also have power, and it shall be its duty, annually to determine, by a majority vote of all the trustees elect, which shall be entered on its record showing how each trustee voted, the money necessary to be raised by tax on the property of said district, to defray the expenses of the schools of said district for the current year, and the amount necessary to pay the interest and principal of any liquidated debt due within such year from such district, and to file with the supervisor of the said township of Chesaning, on or before the first day of October, in each year, a statement, in writing, of the sum so voted; and it shall be the duty of such supervisor to apportion said sum upon the taxable property of said district, according to the valuation thereof, and cause the same to be assessed on such property in the first general tax thereafter to be assessed, in the same manner that other school taxes are by law assessed. And the assessment of such tax for the district shall be in a separate column on said roll, and shall be collected at the same time and in the same manner, and shall be a lien on the property upon which the same is levied, as other school taxes assessed are levied by the general laws of this state; and the township treasurer of said township of Chesaning shall have the same authority, and may resort to the same modes and proceedings, by virtue of such roll and the warrant thereto
Powers and duties of board as to raising money.	
Written statement of amount of school money to be filed with supervisor.	
How tax collected.	
Powers and duties of township treasurer.	

annexed, to collect such taxes as the other taxes on said roll; and it shall be the duty of said township treasurer to pay over to the treasurer of said district, on demand, all money belonging to said district that he may have collected on such roll, or that in any way may have come to his hands by virtue of his office of township treasurer.

SEC. 11. Said board of education shall also have power to order special meetings of the district whenever any such meeting shall be necessary; and at any such special meeting, and also at any annual meeting of said district, a majority of the tax-payers resident therein, in attendance at such meeting, shall be entitled to order any number of school-houses to be erected, and sites for the same to be purchased by said district; and to vote for raising by tax on the taxable property of said district, or partly by tax and partly by loan, on the bonds of said district, all sums of money necessary to build such school-houses, to purchase such sites, and to improve and ornament the same, and to furnish such school-houses: *Provided*, That the order and notice of said board calling a special meeting of said district shall state the object of such meeting, and the question or questions there to be voted upon, and no questions shall be voted upon at such special meetings, except on such as stated in the order and notice calling the same: *And provided further*, That in voting to raise money to build school houses or to purchase school house sites, a two-thirds vote of all the votes cast shall be necessary, and the vote shall be by ballot, and the acting secretary, treasurer, and one person appointed by the board of education shall constitute a board of inspection, who shall cause a poll-list to be kept and a suitable ballot box to be used, which shall be kept open two hours, and said balloting shall be conducted in the same manner as at township elections.

Special meetings
and power to
raise money for
school houses,
etc.

Proviso.

Proviso.

SEC. 12. Said board of education shall have power, and it shall be its duty, to select and purchase such sites for school houses, as shall be directed by the vote of any district meeting or meetings, lawfully taken; and in case a loan, for any such purpose, authorized by the last preceding section, shall be voted by a district meeting, it shall be the duty of said board if possible, to borrow the money so directed to be procured by loan, and on the terms directed by said district meeting; and for that purpose a bond may be made in the name of the district, which shall be signed by the secretary and countersigned by the president of the board, and delivered to the lender of the money, providing for the payment of the money borrowed, with such rate of interest as shall be agreed upon, not exceeding ten per centum per annum; and a statement of any sum of money directed by said district meeting to be raised by tax, duly certified by the secretary of the board, shall be filed with the supervisor of said township of Chesaning, within the same time as the statement of moneys voted by said board of education is required to be filed, and on the filing of such statement, the same proceedings shall be had and taken to assess and collect the money therein mentioned, as is authorized by section ten of this act, to assess and collect the moneys voted by said board of education, and

Power of board
to purchase
school sites and
borrow money.

Statement of tax
to be filed with
supervisor.

all the provisions of said section ten relative to the assessing, collecting, and paying over moneys directed by said board to be raised by tax, shall apply to the assessing, collecting and paying over of the moneys voted by said district meeting or meetings to be raised by tax.

Duty of board to ornament school sites.

SEC. 13. It shall be the duty of said board of education to improve and ornament the sites for such school-houses as it shall deem proper and expedient, and to adopt plans of school-houses to be erected in said district, and to erect the same, and furnish them in such manner as in the judgment of said board will best subserve the purposes of their erection.

District library.

SEC. 14. Said board of education shall establish a district library for the use of the schools in said district, and for the increase of the same, may appropriate annually a sum not exceeding one hundred dollars of the moneys raised by said board, by tax for school purposes; and said district shall be entitled to the same rights in the township library, and the library funds of said township of Chesaning, as other school districts in said township, and the legal voters of said district at any annual meeting may authorize the board of education to appropriate for library purposes, for the current year, a sum not exceeding two hundred dollars.

Board authorized to make by-laws and ordinances as to census and grading schools, etc.

SEC. 15. Said board of education shall also have full power and authority to make by-laws, and ordinances relative to taking the census of all children in said district between the ages of five and twenty years; relative to making all necessary reports and transmitting the same to the proper officers, as designated by law, so that said district may be entitled to its proportion of the primary school fund, relative to supplying with books the children who are destitute of the means to procure them; relative to the grading, disciplining and visitation of schools; relative to the course of study, and the books to be used in the schools of the district, and relative to the appointment and removal of the necessary officers and servants in and about said schools, their duties and compensation, including a superintendent of the schools of said district.

Board to establish high school.

SEC. 16. Said board of education shall also have power to establish a high school, and to prescribe the course of study for the same, and to grant such certificates of scholarship and in such form as such board shall deem proper, to pupils satisfactorily completing the prescribed course of study.

District to succeed to all rights, etc., of old district.

SEC. 17. Said school district hereby organized, shall succeed to and be entitled to demand and receive all moneys and rights of whatever name or nature, belonging to the present school district in the village of Chesaning, and hitherto known as school district number one of the township of Chesaning, to the same extent as said last named district could have done if this act had not passed; and all real and personal property situate within the limits of said school district number one of said township of Chesaning, and hitherto belonging to it, and now embraced within the limits of said union school district as organized by this act, shall by the force of this act become the property of said union school district hereby organized; and all moneys raised, or being raised by tax,

or that have accrued to said school district number one, or accruing thereto, shall hereby become the money of said union school district; and no tax of said district, or other proceeding, shall be invalidated or affected by the change in the organization of said district by means of this act.

SEC. 18. All debts and liabilities of said school district number one of the township of Chesaning whatever may be the form thereof, and whether liquidated or not, shall become the debts and liabilities of said union school district of the village of Chesaning. And all the proceedings of said school district number one of the township of Chesaning relative to the voting to raise money by tax, or upon loan, to build the school-house therein, and all acts and proceedings of the district officers of said last named district relating to the issuing of bonds for and in the name of said last named district to secure the payment of money so loaned for the purpose aforesaid, are hereby legalized and declared valid, and all such bonds, or other obligations issued by said district officers for the purpose aforesaid, are hereby declared to be legal and valid bonds and obligations against said last named district, according to the terms and tenor thereof, and legal and valid bonds and obligations against the said union school district of the village of Chesaning hereby organized; and the board of education of said union school district is hereby empowered and authorized to issue the bonds of said union school district to replace those of said school district number one hereby legalized, or, in the name of said union school district to borrow money at a rate of interest not exceeding eight per cent per annum to pay off such bonds of said school district number one as are now due, or that may hereafter become due, and to issue the bonds of said union school district therefor, executed and signed as provided in section twelve of this act.

Debts, liabilities, etc., of old district to become debts of new district.

SEC. 19. Said union school district hereby organized shall be subject to be sued in the same manner, and all other proper and suitable proceedings may be taken against it, as though it had been the original debtor, in respect to all debts and obligations of said district number one; and in no such suit or proceeding shall the defense be allowed that said school district number one was not a valid organization, but said school district number one is hereby declared to have been duly organized, and its bonds heretofore issued to have been legally issued.

How district may be sued.

SEC. 20. The trustees and officers of said school district number one of the township of Chesaning, at the date hereof, are hereby constituted the trustees and officers of said union school district of the village of Chesaning; and the moderator, director, and assessor of said school district number one, of the township of Chesaning, shall in the order named, be the president, secretary, and treasurer of said board of education of said union school district, and said trustees and officers shall severally continue to hold their respective offices, for the several terms for which they were elected, as though this act had not passed, except as modified by the time of holding the annual meeting of said union school district, it being the intention of this act that the school year of said union district

Officers of school district No. 1 to become officers of new district.

shall annually expire on the last Monday of May of each year, and that all terms of office that expire during any year, shall terminate with the school year, on the election and acceptance of the officer or officers then elected.

Secretary to
present detailed
statement in
writing of all
money to annual
meeting.

SEC. 21. The secretary of the board of education at each annual school meeting of said union school district, shall present to such meeting a detailed statement in writing, duly certified by him to be correct, of all moneys received by said board and from what source, and all moneys expended and for what purpose, during the last preceding year; and such statement shall also be recorded by said secretary in full, in the record book of the proceedings of said union school district.

How boundaries
may be changed.

SEC. 22. The board of education of said union school district and the township board of school inspectors of said township of Chesaning, shall have power to change the boundaries of said union school district, by detaching therefrom, or adding thereto, any territory adjacent thereto, within said township of Chesaning; and for that purpose a joint meeting of said boards may be called by a majority of the members of each of said boards acting jointly, and giving ten days' notice of such meeting stating the time, place, and object thereof, by posting such notice in three public places within said village of Chesaning, and in three public places in said township, without the limits of said village; but no territory shall be added to or detached from said district by said boards without personally serving a copy of such notice upon every owner of the land or lands proposed to be added to or detached from said district, residing in said township or village of Chesaning, or by leaving a copy of such notice at such owners' usual place of residence in said township or village with some person of suitable age, at least ten days before the time fixed in such notice for such meeting, nor without the consent of a majority of the members elect, of each of said boards.

Notice of joint
board meeting.

Copy of notice to
be served on land
owners.

SEC. 23. This act shall take immediate effect.

Approved March 3, 1879.

[No. 284.]

AN ACT to change the commencement of the fiscal year of the city of Detroit from the first day of February to the first day of July, and to authorize the common council to provide means to maintain the city government during the interim occasioned by such change.

Commencement
of fiscal year.

SECTION 1. *The People of the State of Michigan enact*, That hereafter the fiscal year of the city of Detroit shall commence on the first day of July and expire on the thirtieth day of June, and it shall not hereafter be subject to change by the common council of said city.

Council author-
ized to make
temporary loan.

SEC. 2. For the purpose, in making said change, of preventing too great an addition to the tax levy in said city for the year eighteen

hundred and seventy-nine, the common council is hereby authorized and empowered, with the consent of the board of estimates, to make a temporary loan on the faith and credit of said city, of a sum not exceeding eighty thousand dollars, payable in four equal annual installments, with interest not exceeding seven per cent; and the money so raised shall be applied to the uses and purposes of the general and interest funds of said city during the five months expiring on the thirtieth day of June, eighteen hundred and seventy-nine, and immediately thereafter the unexpended balance, if any, shall become a part of, and be transferred to, the sinking fund of said city.

Amount to be loaned.

Rate of interest.

Balance unexpended to become a part of sinking fund.

SEC. 3. The board of commissioners of the sinking fund of said city are hereby authorized to make said loan to the city, without regard to the rate of interest that may be fixed therefor.

Commissioner of sinking fund authorized to make loan.

SEC. 4. Within ten days after the passage of this act it shall be the duty of the city treasurer to make a separate deposit of the cash belonging to the sinking fund, and the cash belonging to that fund as well as the securities therein, shall be kept separate from the other funds of the city, and no warrant or check shall be drawn against the cash deposits of the sinking fund, unless such warrant or check is countersigned by the mayor and controller. Such deposit shall be known as the "Detroit city sinking fund account."

City treasurer to make separate deposit of cash in sinking fund.

SEC. 5. This act shall take immediate effect.

Approved March 4, 1879.

[No. 285.]

AN ACT to legalize the assessment roll of the township of Nunda, in Cheboygan county, and the levy of taxes thereon for the year one thousand eight hundred and seventy-eight, and to extend the time and provide for the collection of taxes thereon.

WHEREAS, The supervisor elected in the township of Nunda, in Cheboygan county, for the year eighteen hundred and seventy-eight, failed to complete his tax-roll as required by law;

Preamble.

AND WHEREAS, The said supervisor had removed from said township, thereby causing a vacancy in the said office of supervisor;

AND WHEREAS, There were not a sufficient number of the township board (qualified to act) to appoint a supervisor of said township as provided by law;

AND WHEREAS, The board of supervisors of Cheboygan county did, at its annual session in October, eighteen hundred and seventy-eight, authorize and direct Ezra A. Faunce, supervisor of the township of Tuscarora, John Barber, supervisor of the township of Benton, and John Dawson, supervisor of the township of Burt, in said county, and members of said board of supervisors, to complete the assessment roll for said township of Nunda for the year eighteen hundred and seventy-eight;

AND WHEREAS, Such roll was completed as authorized and directed by said board of supervisors, and by said board equalized,

[No. 296.]

AN ACT to incorporate the village of Columbiaville, in the county of Lapeer.

Territory incorporated.

SECTION 1. *The People of the State of Michigan enact, That* the following lands and territory in the township of Marathon, in the county of Lapeer, and described as follows, to-wit: the southwest quarter of section twenty-seven, the southeast quarter of section twenty-eight, the northeast quarter of section thirty-three and the northwest quarter of section thirty-four, the same being in township nine north of range nine east, be and the same is hereby constituted a village corporate by the name of the village of Columbiaville.

Name.

First election.

Notice.

SEC. 2. The first election for officers of said village shall be held on the third Monday in March, eighteen hundred and seventy-nine, at the town hall in said village, notice of which shall be posted in three of the most public places in said village by the board of registration hereinafter appointed, at least ten days prior to such election; said notice shall also be published at least once prior to said election in the newspaper in Lapeer county having the largest circulation.

Board of registration.

Meeting.

Notice.

Incorporated under law of 1875.

Township to maintain bridges.

SEC. 3. John L. Preston, Benjamin J. Harris and Asa Richards are hereby constituted a board of registration, for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet at the town hall aforesaid on the Saturday preceding the third Monday in March, eighteen hundred and seventy-nine aforesaid, and register the names of all persons, residents of said village, presenting themselves for registration, and having the qualifications of voters at annual township meetings. And said board of registration shall cause notices of said meeting to be posted in three of the most public places in said village at least ten days previous thereto.

SEC. 4. The said village of Columbiaville shall, in all things not herein otherwise provided, be governed and its powers and duties defined by an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and acts amendatory thereof.

SEC. 5. The township of Marathon shall be and remain liable to build, construct and repair the bridge across the Flint river in the said village.

SEC. 6. This act shall take immediate effect.

Approved March 4, 1879.

[No. 297.]

AN ACT to constitute the village of Ithaca an election ward for all general and special elections.

Ithaca election ward.

SECTION 1. *The People of the State of Michigan enact, That* all of those certain tracts of land situated in the townships of North

Star, Emerson, Newark, and Arcada, Gratiot county, and constituting the village corporation known and designated as the village of Ithaca, shall be known as the Ithaca election ward, for general and special election purposes.

SEC. 2. The village election board of the village of Ithaca shall constitute the election board of said election ward. Election board.

SEC. 3. The said board of election shall conduct all elections in said ward, in such manner as the laws of elections now provide, and after having counted the votes and announced the result, as the law directs, the said election board shall select one of their number, who shall constitute one of the board of county canvassers, and the said board shall make their return to the board of county canvassers in such manner as the law now provides for election returns from the several townships. Manner of conducting elections

SEC. 4. The president, clerk and treasurer of said village shall constitute the board of registration of said election ward, and shall meet for the purpose of the registration of the voters in said ward, as the law now provides for the registration of voters in townships. Board of registration.

SEC. 5. This act shall only apply to the November and special elections, and shall not be construed to interfere with the regular township elections, or the persons voted for at the same. Act only to apply to November and special elections.

Approved March 13, 1879.

[No. 298.]

AN ACT to amend section one of article twenty-five of act number two hundred and sixty-six of the session laws of eighteen hundred and seventy-three, approved April twenty-fifth, eighteen hundred and seventy-three, entitled "An act to revise the charter of the village of Decatur, being an act entitled 'An act to incorporate the village of Decatur,' approved March sixteenth, eighteen hundred and sixty-one."

SECTION 1. *The People of the State of Michigan enact, That* section one of article twenty-five of act number two hundred and sixty-six of the session laws of eighteen hundred and seventy-three, approved April twenty-fifth, eighteen hundred and seventy-three, entitled "An act to revise the charter of the village of Decatur, being an act entitled 'An act to incorporate the village of Decatur,' approved March sixteenth, eighteen hundred and sixty-one," be and the same is hereby amended so as to read as follows: Section amended.

ARTICLE XXV.

SECTION 1. The plat of said village as originally surveyed, shall be and the same is hereby declared the lawful plat of said village and the lines established by said original survey shall be taken as correct. Village plat.

SEC. 2. This act shall take immediate effect.

Approved March 13, 1879.

[No. 299.]

AN ACT to incorporate the village of Sebewaing in the county of Huron.

Territory incorporated.	SECTION 1. <i>The People of the State of Michigan enact</i> , That the following described territory, to wit: fractional section number seven and section number eight in township number fifteen north, of range number nine east, the same lying and being in the township of Sebewaing, county of Huron, and state of Michigan, be and the same is hereby constituted a village corporate to be known as the village of Sebewaing.
Name.	SEC. 2. The first election of officers of said village shall be held at the town hall of the township of Sebewaing, and in said village on Monday, April fourteenth, in the year of our Lord one thousand eight hundred and seventy-nine, due notice of which election shall be given by the board of registration hereinafter appointed by posting notices thereof in five public places in said village at least two weeks before the time of said election.
First election.	SEC. 3. Jacob Spriess, John J. F. Auch, and John C. Liken, are hereby constituted a board of registration for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet on the Saturday preceding the second Monday of April, eighteen hundred and seventy-nine, and register the names of all persons residing in said village and having the qualifications of voters at annual township meetings, due notice of which registration shall be made by said board by posting notices thereof at least ten days previous to said registration in five public places in said village.
Notice.	SEC. 4. The said village of Sebewaing shall in all things, not herein otherwise provided, be governed by and its powers and duties defined by an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five and the acts amendatory thereto: <i>Provided, however</i> , That nothing herein contained shall be so construed as to compel the said village of Sebewaing to build, repair, or maintain any bridge or bridges within the corporate limits of said village, but all such bridges now built or hereafter constructed in said village shall be built, maintained, and repaired by the entire township of Sebewaing, as if the said village had not been incorporated, and shall be under the direction and control of the proper officer or officers of said township.
Board of registration.	SEC. 5. In case the said officers are not elected at the time designated in section two of this act, an election for officers may be held at any time within one year from the time designated in said section two of this act, on notice being given as provided therein.
Meeting.	SEC. 6. This act shall take immediate effect.
Notices.	Approved March 13, 1879.
Incorporated under law of 1876.	
Proviso as to bridges.	
When election may be held if not held when designated in act.	

[No. 300.]

AN ACT to amend section two of article two, and section two of article three of act number two hundred and twenty-three of the session laws of eighteen hundred and seventy-three, entitled "An act to reincorporate the village of Saint Louis."

SECTION 1. *The People of the State of Michigan enact*, That Sections amended. section two of article two, and section two of article three of act number two hundred and twenty-three of the session laws of eighteen hundred and seventy-three, entitled "An act to reincorporate the village of Saint Louis," be and the same is amended so as to read as follows:

ARTICLE II.

SECTION 2. Each of the officers named in the last preceding section shall be chosen by ballot. Officers chosen by ballot.

ARTICLE III.

SECTION 2. At every election after the first there shall be elected Officers elected and terms of office. one president, one clerk, one treasurer, one assessor, and one marshal, who shall severally hold their office for one year, and three trustees who shall severally hold their office for two years.

SEC. 3. This act shall take immediate effect.

Approved March 13, 1879.

[No. 301.]

AN ACT to reincorporate the village of Memphis.

SECTION 1. *The People of the State of Michigan enact*, That Territory incorporated. all the following described territory, to wit: The north half, and the north half of the south half of section number two, in the township of Richmond, Macomb county, being township number five north, of range number fourteen east; and the south half of section thirty-five, in the township of Riley, in the county of St. Clair, being township number six north, of range fourteen east, be and the same is hereby incorporated as the village of Memphis, under and by virtue of the provisions of act number sixty-two of the session laws of eighteen hundred and seventy-five, approved April first, eighteen hundred and seventy-five, entitled "An act granting and defining the powers and duties of incorporated villages," and the several acts amendatory thereto. Under law of 1875.

SEC. 2. The first election of officers in said village shall be held First election. at the office of Ezra Hazen, Esq., in said village on the second Monday of March, in the year of our Lord one thousand eight hundred and seventy-nine, and shall be conducted and held in the manner prescribed in said act. Notice of said election shall be Notice. given by posting three written or printed notices thereof in three of the most public places in said village at least ten days immedi-

	ately preceding said election, and the board of registration herein-after appointed shall cause such notices to be posted, setting forth the time and place of holding such election.
Board of registration.	SEC. 3. Sherman S. Eaton, Joseph H. Dutton, and Oscar F. Newcomer, are hereby appointed a board of registration to register the legal voters of said village. They shall meet at the office of Ezra Hazen, Esq., in said village on the Saturday preceding the second Monday in March, eighteen hundred and seventy-nine, and shall register the names of all the qualified voters of said village, and be governed by the provisions of said act, and the general laws of this State regulating the registration of electors in townships.
Meeting.	Notice of said registration shall be given at the same time and by said board of registration, and posted in the same places as the notices of election, as provided in section two of this act.
Notice.	SEC. 4. Nothing contained in this act or in the said act for the incorporation of villages, shall make it incumbent on the said village to build or keep in repair any of the bridges now constructed, or hereafter to be constructed across any streams or water-courses within the limits of said village of Memphis; but for the purposes of building, maintaining or repairing said bridges over any streams or water-courses within the limits of said village, the townships within which such village is situated shall be deemed townships as they existed before the incorporation of said village, and shall be subject to all the provisions of the general laws of this State relative to the building, repairing, rebuilding and maintaining such bridges, and such bridges shall be under the control and supervision of the proper officer or officers of said townships, for all purposes whatever.
Not required to build bridges, etc.	SEC. 5. In case the said officers are not elected at the time designated in section two of this act, the organization of said village shall not be dissolved or repealed, but an election of officers may be had at any time within one year from the time designated in said section two, on notice being given as provided therein, by said board of registration, or a majority thereof; and the legal voters of said village shall be registered on the Saturday preceding such election.
How election may be held if not had when designated in act.	SEC. 6. This act shall take immediate effect. Approved March 14, 1879.

[No. 302.]

AN ACT to change the name of Joseph Badcock to Joseph Bank.

Name changed. SECTION 1. *The People of the State of Michigan enact*, That the name of Joseph Badcock of Eaton county be and is hereby changed to Joseph Bank.

SEC. 2. This act shall take immediate effect.
Approved March 15, 1879.

[No. 303.]

AN ACT to amend sections number two, twelve, and eighteen of act number one hundred and ninety-one of the session laws of eighteen hundred and sixty-one, approved March fifteenth, eighteen hundred and sixty-one, entitled "An act to incorporate the village of Constantine."

SECTION 1. *The People of the State of Michigan enact*, That Sections amended.
sections number two, twelve, and eighteen of act number one hundred and ninety-one of the session laws of eighteen hundred and sixty-one, approved March fifteenth, eighteen hundred and sixty-one, entitled "An act to incorporate the village of Constantine," be and the same are hereby amended so as to read as follows:

SEC. 2. The male inhabitants of said village having the qualifi- Annual
cations of electors under the constitution of the state, shall meet elections.
at Union hall, in said village, or at such other place as may be fixed by notice given by the recorder of the common council of said village, on the first Tuesday of March, in the year of our Lord one thousand eight hundred and seventy-nine, and annually thereafter, at such place as shall be provided in the by-laws of said village, and then and there proceed, by a plurality of votes, to elect by ballot from among the qualified electors residing in said village, five trustees, two assessors, one president, one recorder, one treasurer, one marshal, and one street commissioner, who shall hold their offices one year and until their successors are elected and qualified: *Provided*, That if an election of such officers shall not Officers to be
be made on the day when, pursuant to this act, it ought to be elected.
made, the said corporation, for that cause, shall not be deemed to be dissolved, but it shall and may be lawful to hold such election at any time thereafter, pursuant to public notice, to be given in the manner hereinafter prescribed. Proviso.

SEC. 12. The common council shall have full power and author- Powers of com-
ity to appoint all the officers necessary under the provisions of this mon council.
act; to make by-laws and ordinances relative to the duties, powers, and fees of the marshal, treasurer, assessor, and other officers, and laws and ordinances relative to the time and manner of working upon the streets, lanes, and alleys of the said village, and relative to the manner of assessing, levying, and collecting all highway and other taxes of said village; and the common council shall Taxes.
have power to make by-laws and ordinances relative to all nuisances within the limits of said village and for the abatement of Nuisances.
the same, for the punishment by fine of all persons occasioning the same, and power to construct sewers and reservoirs and a general system of water works to supply water to said village for all purposes; to license and tax all showmen, auctioneers, hawkers, and peddlers, or to prohibit the same; to suppress all games of chance License shows,
or hazard by fine and imprisonment, or either; to compel the peddlers, etc.
owners of all buildings to procure and keep in readiness such number of fire-buckets as shall be ordered by the common council; to Fire buckets.
build, repair, and regulate bridges within the limits of said village; Bridges.
to take such action and make such laws as may be necessary to

Gun powder.	protect the village from fires, and shall have power relative to calling meetings of electors of said village; powers to regulate the keeping and sale of gunpowder in said village; powers relative to
Restraining animals.	restraining swine, horses, and other animals from running at large in the streets, lanes, alleys, and other public places in said village;
Billiard tables, etc.	power to regulate, restrain, or prohibit billiard tables and all other gaming tables kept for hire, gain, or reward in said village; power
Disorderly houses, etc. Streets, alleys, bridges, etc.	for suppressing and preventing all disorderly and bad houses; power to prevent the encumbering of streets, sidewalks, crosswalks, lanes, alleys, bridges, aqueducts, drains, or ditches in any manner whatever;
Hors racing.	power to prevent and punish horse racing and immoderate driving on any street or over any bridge, and may authorize the stopping of any person who may be guilty of any immoderate driving over any bridge or on any street; shall have power concerning
Lighting streets.	the lighting of streets and alleys and the protection and safety of the public lamps; the common council shall have power
Holly water works.	and authority to appoint such persons and organize such company or companies, as, in their judgment, may be necessary to operate the Holly water works in said village in time of fire, or to protect the same and keep the same in order and to allow such compensation as may be necessary; the common council shall also have power to regulate the use of water from the Holly water works for private purposes, and to fix the amount of rental for such use, and to provide for the collection of such rental, provided that no
By-laws, etc., to be published.	by-law or ordinance of said corporation shall have any effect until the same shall have been published three weeks successively in a newspaper published in the said village, or by written notices posted up in three of the most public places in said village; and the affidavit of the said printer of the said publication or of the person who posted such notices shall be <i>prima facie</i> evidence of their compliance with the provisions of this act.
Powers of justices of the peace.	SEC. 18. Justices of the peace shall have power to punish such offender or offenders by imprisonment in the county jail for such length of time as such by-laws, ordinances, or regulations may prescribe or direct: <i>Provided</i> , Such imprisonment shall not exceed ninety days.

SEC. 3. This act shall take immediate effect.

Approved March 19, 1879.

[No. 304.]

AN ACT to amend section one of act number two hundred and fifty-four of the session laws of eighteen hundred and seventy-seven, approved March twentieth, eighteen hundred and seventy-seven, entitled "An act to incorporate the city of Cadillac, and repeal act number three hundred and thirty-six of the session laws of eighteen hundred and seventy-five," approved April twenty-second, eighteen hundred and seventy-five.

SECTION 1. *The People of the State of Michigan enact, That*

section one of act number two hundred and fifty-four of the session laws of eighteen hundred and seventy-seven, approved March twentieth, eighteen hundred and seventy-seven, entitled "An act to incorporate the city of Cadillac, and repeal act number three hundred and thirty-six of the session laws of eighteen hundred and seventy-five, approved April twenty-second, eighteen hundred and seventy-five," be and the same is amended so as to read as follows:

SECTION 1. *The People of the State of Michigan enact*, That the following described territory, to-wit: Sections three, four and five, the north half of the northeast quarter of section eight and the northwest quarter of section nine, all in township number twenty-one north of range number nine west; the south half of section thirty-three and the west half of section thirty-four, all in township number twenty-two north of range number nine west, in the county of Wexford and state of Michigan, be incorporated into, and the same is hereby made, constituted and organized into a city to be known as the city of Cadillac.

SEC. 2. This act shall take immediate effect.

Approved March 19, 1879.

[No. 305.]

AN ACT to amend section four of title six, and section eight of title eight, and section fourteen of title eleven of an act entitled "An act to incorporate the city of Ishpeming," approved April tenth, eighteen hundred and seventy-three, and to repeal section two of title nine of act number three hundred and ninety-five of the laws of eighteen hundred and seventy-five, entitled "An act to amend an act to incorporate the city of Ishpeming," approved May third, eighteen hundred and seventy-five.

SECTION 1. *The People of the State of Michigan enact*, That section four of title six, and section eight of title eight, and section fourteen of title eleven of an act entitled "An act to incorporate the city of Ishpeming," approved April tenth, eighteen hundred and seventy-three, be and the same are hereby amended so as to read as follows:

SEC. 4. The marshal of said city shall be the chief of police, and shall possess all the powers of a constable; see that all the by-laws and ordinances of the common council are properly and efficiently enforced, and especially those which may be passed to carry into effect those parts of this act relating to police and sanitary regulations. He shall obey all the lawful orders of the mayor, and may command the aid and assistance of all constables and other persons in the discharge of the duties imposed upon him by law. He may appoint such number of deputies as the common council shall direct, subject to their approval, who shall have the same powers and perform the same duties as the marshal, and for whose official acts he shall be in all respects responsible.

Authority of council to levy and collect taxes.

SEC. 8. The common council shall have authority to assess, levy, and collect taxes on all the real and personal estate taxable in said city, which taxes shall be and remain a lien on the property so assessed until the same shall be paid: *Provided*, That they shall not raise by general tax more than three-fourths of one per cent on the valuation thereof for city purposes, exclusive of state, county, school and highway taxes. They may levy a highway tax not exceeding three-fourths of one per cent on the valuation of taxable property in said city, to be assessed and collected in money as other city taxes, but placed upon the assessment roll in the column of highway taxes.

Authority to purchase fire engines.

SEC. 14. The common council may purchase one or more steam fire engines as shall be deemed expedient, and organize a paid fire department, and shall have full power to provide for paying for the same, and maintaining such fire department with the necessary apparatus, hose carts, hose companies, and buildings that may be necessary, proper, and convenient. The total taxes in any one year for maintaining the fire department shall not exceed three-fourths of one per cent on the assessed valuation of said city, in addition to the other taxes provided for in this act. The common council may borrow a sum not to exceed thirty thousand dollars, for the purpose of the fire department, and protecting the city against fires, at a rate of interest not to exceed ten per cent per annum, and for a period not to exceed twenty years, but before the common council shall have authority to borrow such money it shall be necessary to obtain the consent of a majority of the electors, at a special election to be called for that purpose. Whenever the common council shall call a special election to authorize the borrowing of any sum of money not exceeding thirty thousand dollars for fire department purposes, twenty days' notice shall be given by posting up three or more written or printed notices, in three or more public places in said city, which notices shall state the object of the special election, and the time and place where to be held in each ward, and shall be signed by the mayor or acting mayor, and attested by the recorder or clerk *pro tem.* of the common council.

Limit to taxes for fire engines.

Authority to borrow money for fire department.

Special election.

Notice.

Qualification of electors.

Issue of bonds.

At such special election no person shall be allowed to vote unless his name appears on the assessment roll of the ward in which he offers to vote for the current year, or unless he files with the inspectors of election an affidavit that he is then the owner of real estate in the city liable to be taxed, and that such real estate was purchased by him *bona fide* and not for the purpose of voting at said election. If such person has the other qualifications of an elector required by law, his vote shall be received, and if a majority of the votes cast at such election are in favor of the loan, the common council shall have full power and authority to effect such loan by issuing the bonds of the city therefor, subject to the limitations herein prescribed, and such bonds shall not be held or deemed to be negotiable, but shall always be subject to any equities the city may have against such bonds; but except as against the city such bonds shall be held and deemed as to all other holders of the same to be negotiable, the same as bills of exchange. At such special

election all voting shall be by ballot, and all voting for the loan shall have on their ballots "for the loan," and all voting against the loan shall have on their ballots "against the loan," and in all other respects said special election shall be held and conducted the same as annual elections under this act. Form of ballots.

SEC. 2. Section two of title nine of act number three hundred and ninety-five of the laws of eighteen hundred and seventy-five, entitled "An act to amend an act to incorporate the city of Ishpeming," approved May third, eighteen hundred and seventy-five, is hereby repealed. Section repealed.

SEC. 3. This act shall take immediate effect.
Approved March 19, 1879.

[No. 306.]

AN ACT to incorporate the village of Richmond [in] Macomb county.

SECTION 1. *The People of the State of Michigan enact*, That so much of the townships of Richmond and Lennox, in the county of Macomb and state of Michigan, as is embraced in the following described lands, to-wit: The east three-fourths of section thirty-five and the west one-fourth of section thirty-six, in township number five north of range number fourteen east, and the northeast quarter of section two and the northwest quarter of section one, in township number four north or range number fourteen east, in said county of Macomb, be and the same is hereby made and constituted a village corporate by the name of Richmond, by virtue of and under the provisions of act number sixty-two of the session laws of eighteen hundred and seventy-five, entitled "An act granting and defining the powers and duties of incorporated villages" approved April first eighteen hundred and seventy-five, and acts amendatory thereof. Territory incor-
porated.

SEC. 2. The first election for officers of said village shall be held on the fifth Monday in March, eighteen hundred and seventy-nine, at the store lately occupied by Miller & Haskins, on Main street, in said village, notice of which shall be posted in three of the most public places in said village by the board of registration hereinafter appointed, at least ten days prior to such election; said notice shall also be published at least once prior to said election, in such newspaper in said village having the largest circulation. Thomas Conway, B. F. Doty and Luman H. Heath are hereby constituted a board of registration, for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet on the Saturday preceding the fifth Monday in March, eighteen hundred and seventy-nine aforesaid, at the place hereinbefore described for holding the election, and register the names of all persons, residents of said village, presenting themselves for registration, and having the qualifications of voters at annual township meetings. Name.
First election.
Notice of
election.
Board of regi-
stration.
Meeting.

Incorporated
under law of
1875.

SEC. 3. The said village of Richmond shall, in all things not herein otherwise provided, be governed and its powers and duties defined by an act entitled "An act granting and defining the powers [and duties] of incorporated villages," approved April first, eighteen hundred and seventy-five, and acts amendatory thereof.

SEC. 4. This act shall take immediate effect.

Approved March 20, 1879.

[No. 307.]

AN ACT to reduce the toll on the Bay City, Vassar and Watrous-ville plank road, and to repeal all acts contravening this act so far as said road is concerned.

Rates of toll.

SECTION 1. *The People of the State of Michigan enact, That* the tolls received on the Bay City, Vassar and Watrous-ville plank road be so changed as to read as follows, viz: For any wheeled vehicle drawn by two animals shall be at the rate of three cents for each mile traveled on said road, and one cent for said vehicles drawn by each additional animal; and two cents a mile for any sleigh, sleighs or sleds drawn by two animals, and one cent additional for each additional animal drawing said sleighs, sled or sleigh; and for any wheeled vehicle drawn by one animal, at the rate of one and one-half cents for each mile traveled on said road. And for any sleigh, sled or sleighs drawn by one animal, at the rate of one cent for each mile of travel on said road. For sheep or swine driven over such road, two cents per score per mile may be charged; two cents per mile may be charged for each score of neat cattle led or driven over such road; and for every horse and rider, or led horse, one cent per mile of travel on said road.

Laws repealed.

SEC. 2. All laws conflicting with this act are hereby repealed, so far as the Bay City, Vassar and Watrous-ville plank road is concerned.

SEC. 3. This act shall take immediate effect.

Approved March 20, 1879.

[No. 308.]

AN ACT to incorporate the city of Mt. Clemens and repeal act number three hundred and seven of the session laws of eighteen hundred and seventy-five, approved April eighth, eighteen hundred and seventy-five.

Territory incor-
porated.

SECTION 1. *The People of the State of Michigan enact, That* the following described territory in the county of Macomb and State of Michigan, bounded and described as follows, to wit: Commencing at a point in the center of the Clinton River, where the line between the townships of Harrison and Clinton intersect the center of said river, thence along the center line of said river, up stream to a

point, the intersection of the line between the lands owned by William M. Campbell and the lands of Samuel Wood with the center line of said river, thence north three degrees east parallel with the west line of private claim five hundred and forty-one along the line between the lands of said Campbell and the lands of said Samuel Wood, and also between the lands of said Campbell and the lands of William Parrott and the lands of Nicholas Dunmer to the northeast corner of the lands of said Campbell in private claim one hundred and sixteen, thence easterly at right angles along the line between the lands owned by Robert Little at time of his decease and the lands of said Dunmer to a point on the west line of private claim five hundred and forty-one, thence northerly along the west line of said claim five hundred and forty-one to the northwest corner of said claim, thence easterly along the north line of said claim to the north east corner of said claim, thence southerly along the east line of said claim to a point on the line between the lands of Andrew Greiner and lands owned by Giles Hubbard at time of his decease, thence easterly at right angles along the line between the said Hubbard's lands and lands of said Greiner and also along the north line of lands of said Greiner to the center of the North Branch road (so called), thence southerly along the center of said road to a point on the line between the lands of Francis Mitchell and James Canfield, thence south eighty-five degrees forty-five minutes east along the line between the lands of Mitchell and Canfield to the center of the Fort Gratiot turnpike, thence south twenty-one degrees fifteen minutes west along the center of said turnpike to a point the center of John Street, thence south thirty-seven degrees east along the center of said John Street and the continuation of the center line of said street to a point the line between the townships of Clinton and Harrison, thence southerly along the said town line to the place of beginning, be and the same is incorporated and made, constituted and organized into a city to be known as the Name of city. city of Mount Clemens.

SEC. 2. The said city shall be divided into three wards as fol- First ward.
 follows, to wit: The first ward shall embrace all that portion of
 the city lying south of the center line of Shelby street and Cass
 street. The second ward shall embrace all that portion of the city Second ward.
 lying north of Shelby street and Cass street and west of that cer-
 tain line commencing at the intersection of the center lines of
 Court street and Cass street, and thence running northeasterly
 along said Court street and Pearl street and North Gratiot street
 to the north line of said city. The third ward shall embrace all Third ward.
 that portion of said city lying north of Cass street and east of the
 said line commencing at the intersection of the center lines of
 Court street and Cass street, thence running northeasterly along
 Court street, Pearl street and North Gratiot street to the north
 line of said city.

SEC. 3. The said city of Mount Clemens shall in all things not
 herein otherwise provided be governed by, and its powers and duties Incorporated
 under law of
 1873.
 defined and limited by an act entitled "An act for the incorpora-

- ately preceding said election, and the board of registration hereinafter appointed shall cause such notices to be posted, setting forth the time and place of holding such election.
- Board of registration.** SEC. 3. Sherman S. Eaton, Joseph H. Dutton, and Oscar F. Newcomer, are hereby appointed a board of registration to register the legal voters of said village. They shall meet at the office of Ezra Hazen, Esq., in said village on the Saturday preceding the second Monday in March, eighteen hundred and seventy-nine, and shall register the names of all the qualified voters of said village, and be governed by the provisions of said act, and the general laws of this State regulating the registration of electors in townships.
- Meeting.** Notice of said registration shall be given at the same time and by said board of registration, and posted in the same places as the notices of election, as provided in section two of this act.
- Notice.** SEC. 4. Nothing contained in this act or in the said act for the incorporation of villages, shall make it incumbent on the said village to build or keep in repair any of the bridges now constructed, or hereafter to be constructed across any streams or water-courses within the limits of said village of Memphis; but for the purposes of building, maintaining or repairing said bridges over any streams or water-courses within the limits of said village, the townships within which such village is situated shall be deemed townships as they existed before the incorporation of said village, and shall be subject to all the provisions of the general laws of this State relative to the building, repairing, rebuilding and maintaining such bridges, and such bridges shall be under the control and supervision of the proper officer or officers of said townships, for all purposes whatever.
- Not required to build bridges, etc.** SEC. 5. In case the said officers are not elected at the time designated in section two of this act, the organization of said village shall not be dissolved or repealed, but an election of officers may be had at any time within one year from the time designated in said section two, on notice being given as provided therein, by said board of registration, or a majority thereof; and the legal voters of said village shall be registered on the Saturday preceding such election.
- How election may be held if not had when designated in act.** SEC. 6. This act shall take immediate effect.
- Approved March 14, 1879.

[No. 302.]

AN ACT to change the name of Joseph Badcock to Joseph Bank.

Name changed. SECTION 1. *The People of the State of Michigan enact*, That the name of Joseph Badcock of Eaton county be and is hereby changed to Joseph Bank.

SEC. 2. This act shall take immediate effect.
Approved March 15, 1879.

Charles W. Wright, in the south half of township twenty-eight north of range four west, and Fred. L. Barker, John F. Hum, and Charles M. Wilson, three electors of said township, are hereby made and constituted a board of inspectors of said township election. And the said Fred. L. Barker, John F. Hum, and Charles M. Wilson shall constitute a board of registration, with like powers and duties of township boards of registration in other cases. And the holding of the session of said board of registration shall be at the store of said Charles W. Wright in said township.

Board of inspectors and registration.

SEC. 3. If for any reason the township meeting provided for in the last preceding section shall not be held at the time designated for holding the same, it shall and may be lawful to hold the same at any time thereafter, by giving at least fifteen days' notice of the time and place of holding such meeting by posting notices thereof in four of the most public places in said township, which notice may be given by said inspectors, or a majority of them.

How election may be held if not held when designated in act.

SEC. 4. If for any cause all or either of the inspectors hereby appointed shall neglect or be unable to attend said board at the time specified, it shall be lawful for the electors of said township present at the time designated for opening the polls of said election, to choose from the electors present, suitable persons to act as inspectors of said election in place of such inspectors who shall neglect or be unable to attend.

How vacancy in board of registration may be filled.

SEC. 5. This act shall take immediate effect.

Approved March 24, 1879.

[No. 310.]

AN ACT to legalize certain bonds issued by the county of Midland.

WHEREAS, The county of Midland is owing twenty thousand dollars in bonds of said county, bearing interest at ten per cent per annum;

Preamble.

AND WHEREAS, The board of supervisors of said county at its regular session in October, in the year of our Lord one thousand eight hundred and seventy-eight, authorized the issuing of twenty thousand dollars in bonds of said county, bearing interest at the rate of seven per cent per annum;

AND WHEREAS, The county clerk of said county of Midland and the chairman of said board of supervisors have executed said bonds in pursuance of the order of said board of supervisors, therefore

SECTION 1. *The People of the State of Michigan enact, That* said twenty thousand dollars, in the bonds of said county, executed by said clerk and chairman of said board of supervisors, bearing interest at seven per cent per annum, be and the same are legal and valid claims against said county of Midland.

Bonds legalized.

SEC. 2. All the acts of said board of supervisors at the [its] October session, in the year eighteen hundred and seventy-eight, in regard to said bonds and the acts of the clerk and chairman of said board

Acts of board of supervisors legalized.

of supervisors in executing said bonds be and the same are legal and valid; and the proceeds of said bonds shall be used for the payment of a like amount of outstanding bonds of said county, and for no other purpose whatever.

SEC. 3. This act shall take immediate effect.

Approved March 24, 1879.

[No. 311.]

AN ACT to amend sections two, seven, twenty-four and twenty-six of act number three hundred and twenty-eight of the session laws of eighteen hundred and seventy-five, entitled "An act to incorporate the village of Vandalia."

Sections amended.

SECTION 1. *The People of the State of Michigan enact, That* sections two, seven, twenty-four and twenty-six, of act number three hundred and twenty-eight of the session laws of eighteen hundred and seventy-five, entitled "An act to incorporate the village of Vandalia," be and are hereby amended to read as follows:

Village election.

Officers to be elected and terms of office.

SEC. 2. The inhabitants of said village having the qualifications of electors, under the constitution of the state, shall meet at Merrill hall in said village, on the first Monday of April next, and on the second Monday of April annually thereafter, at such place as shall be provided in the by-laws of said village, and there by ballot shall elect, by plurality of votes, one person to be president of said village, and three persons shall in like manner be elected trustees for one year, and three for two years; and one person also shall be elected marshal, and annually thereafter a president, clerk, and marshal shall be elected as aforesaid, who shall hold their respective offices for one year, and three trustees shall be elected who shall [hold] their offices for two years; but if an election of president and trustees shall not be made on the day when, pursuant to this act it ought to be made, the said corporation shall not, for that cause be dissolved, and it shall be lawful to hold such election at any time thereafter, public notice being given as prescribed by this act for the holding of the regular election. The president and trustees thus elected, together with three trustees whose term of office is unexpired, shall constitute a village board, and a majority of the board shall constitute a quorum for the transaction of business, and a less number may adjourn from time to time. The president shall also be the chief executive officer of the village; he shall preside at the meetings of the board and it shall be his duty to see that all the officers of said village faithfully discharge their duties, and in case of his absence or inability to serve, the trustees shall have power to elect from their own number a president *pro tem.*, who shall have all the powers and perform all the duties of president.

Village board, quorum, etc.

Duties of president.

General powers of president and trustees.

SEC. 7. The president and trustees shall have power to ordain and establish by-laws, rules, and regulations, and to alter and repeal the same at pleasure, for the following purposes, viz.: For the

appointment of a treasurer and assessor and prescribing their duties, and such other officers for said village as they may deem necessary and also such as they may deem necessary and right for the maintenance and preservation of the public places, property, and buildings of said village; to regulate the police thereof; to preserve the public peace; to prevent riots, disturbances, and disorderly assemblages; to tax drinking saloons and billiard tables; to appoint watchmen and policemen, and organize a fire department and define their duties, and prescribe penalties for their delinquencies; to restrain, apprehend, and punish vagrants, mendicants, drunkards, and all disorderly persons; to punish lewd and lascivious behavior in the streets or other public places; to suppress and restrain disorderly and gaming houses, billiard tables, and other devices and instruments of gaming; and shall have the exclusive authority to license such persons as tavern-keepers and common victualers as they shall think best, but no license shall be in force except during the life of the board granting it; to prevent the selling or giving away of spirituous or fermented liquors to drunkards, minors, or apprentices; to prevent and punish inordinate riding or driving in the streets; to abate, prevent, and remove nuisances; to suppress all disorderly houses and houses of ill-fame, and to punish the keepers and inmates thereof; to prevent and compel the removal of all incumbrances, encroachments, and obstructions from the streets, walks, lanes, alleys, parks, and public grounds; to compel the owners and [or] occupants of lots to clear sidewalks in front of and adjacent thereto of snow, ice, dirt, mud, boxes, and every incumbrance or obstruction thereto; to regulate the storage of powder, lumber, or other combustible material; to prevent the use of firearms, slung-shots and other weapons, and fire-works; to construct and regulate markets, the vending of poultry, meats, vegetables, fruits, and fish; to regulate the sale of hay, wood, lime, lumber, and coal; to regulate the gauging of vessels containing liquor, the sealing of weights and measures; to regulate and maintain pounds, and to provide for the restraint of horses, cattle, sheep, swine, mules, and other animals, geese, and other poultry; to prevent the running at large of dogs; to require them to be muzzled, and to authorize their destruction if found at large in violation of any ordinance; to regulate and license cartmen, porters, hacks, and cabs, and to regulate their rates of compensation; to prevent runners from soliciting travelers; to construct hydraulic works to supply the village with water; to light the streets; to borrow money for public improvements, not exceeding one thousand dollars in any one year; to establish wells and cisterns, and to prevent the waste of water; to prevent bathing in public streams; to purchase grounds for and regulate cemeteries and the burial of the dead, and to provide for the bills of mortality, and to order the use, for burial purposes, of any burial ground or cemetery to be discontinued whenever they may deem the same necessary for the best interest of [or] health of the citizens; to ascertain, establish, and settle the boundaries of all streets and alleys, and to establish grades therefor; also to order and cause to

General powers
of president and
trustees.

be drained or filled up, and to assess the cost and expenses on the premises benefited; to regulate the building of partition and other fences; to establish lines upon which buildings may be erected, and beyond which such building shall not extend; to prevent the erection of buildings in an unsafe manner, and to pass all necessary regulations relative to buildings deemed unsafe; to purchase and keep in order fire engines and other fire apparatus, and to construct buildings to store them, and to cause each building occupied as a house, store or shop, to be provided with fire-buckets and ladders; to establish fire limits, within which no wooden building shall be built, enlarged, or placed; to regulate party walls, chimneys, flues, and putting up stoves and stove-pipes; to regulate the construction of smith shops, planing establishments, bakeries, and other buildings considered extra hazardous; to guard against fires; to regulate the duties, powers, and fees of village officers; to prescribe the setting of posts and shade trees; to provide for the construction of sidewalks and repairing the same; to grade the walks, streets, and alleys, and to prescribe the manner of planking or repairing them, the cost and expense of repairing sidewalks, grading the walks, streets, and alleys, the paving or planking to be paid by assessments on the lot in front or adjoining either or all of such improvements shall be made: *Provided*, That so much money, belonging to the highway fund of said village, as the president and trustees may direct may be expended for grading: *And provided further*, That no more than one per cent on the assessed value of any lot shall be collected in any year for such purposes; to construct and keep in repair the public highways, bridges, culverts, and sewers, to lay out new streets and alleys, and to extend those already laid out, under the restrictions provided in this act; to vacate streets and alleys; to prescribe the levying and collection of highway and other taxes; to provide for taking a census whenever they shall see fit; to regulate theaters, shows, and concerts; to regulate and tax at their discretion auctioneers or auction sales, gift enterprises, hawkers, hucksters, peddlers, and pawnbrokers; to regulate the covering of mill races at the expense of the owners thereof; to rail and curb, where necessary, all walks at the expense of the owner of the adjoining lots; to levy taxes on all personal and real estate within the limits of the village, except property belonging to the village, town, county, or state, and all grounds used exclusively for educational purposes; to take the land of any individual for the purpose of constructing, widening, or extending streets, lanes, alleys, drains, or sewers, but not until such individual shall be paid the value thereof, and all buildings thereon, and all the damages he will sustain, as provided for in this act; for the violation of any by-laws, rules, and regulations, such reasonable penalties may be imposed by the law itself as the president and trustees may deem proper, and when any fine or penalty shall not exceed one hundred dollars, the same may be recovered before any justice of the peace in the township of Penn, and any interest the inhabitants of Vandalia may have in the fine or penalty to be recovered shall not disqualify any inhabitant of said village to try

Proviso.

said cause, or serve as a juror or witness therein; and the circuit court for the county of Cass shall also have jurisdiction to try and determine all causes brought for the recovery of any fine or penalty imposed by said by-laws, when the sum claimed shall not exceed the sum of one hundred dollars.

SEC. 24. The president and trustees shall be the commissioners of streets and highways and within the limits of the village shall have the same power and perform the same duties as now by law belong to commissioners of highways in the several townships of this state, and shall appoint one or more overseers of highways to repair and keep in order the highways, streets, and alleys in the village, and shall cause a tax to be levied and collected on the real and personal property in said village, not exceeding one thousand dollars nor less than fifty dollars in any year; the said tax, or part of the same, may be assessed in work in the same manner that highway taxes are levied in the several townships of this state, to be performed or commuted, as they may by ordinance direct; and no other highway tax shall be levied and collected in the village except that every male inhabitant above the age of twenty-one and under the age of fifty years residing in said village on the first day of April in each year, except paupers, idiots, and lunatics, shall be liable to pay a poll tax of one dollar, or one day's work to be assessed and collected at the same time as other highway taxes are assessed and collected, and no other highway taxes shall be assessed by the supervisor of the township of Penn against the real and personal property in the village for building, repairing, or rebuilding any bridge in said township, or for any special expenditure for laying out, opening, working or improving any highway in said township, or for any damages which said township may become liable by reason of any neglect in keeping any bridges or public highway in proper repair. The president and trustees shall have the power to order fences to be removed and to remove such fences themselves, and to open, widen and extend streets and highways, between the first day of April and the first day of November in each year, and may exercise that power at any time during the year, and the president and trustees shall have the exclusive control of the highway money levied and collected in the village.

Who to be commissioner of highways.

Overseers.

Amount of tax for highways.

Poll tax.

Supervisor of township not to assess highway taxes in village.

Power to remove fences.

SEC. 26. All moneys received for licenses from any and all sources shall be paid to the treasurer of said village.

Licenses to be paid treasurer.

SEC. 2. This act shall take immediate effect.

Approved March 24, 1879.

[No. 312.]

AN ACT to detach certain territory from the township of Newton, Mackinaw county, and attach the same to the township of Hendricks in the same county.

SECTION 1. *The People of the State of Michigan enact, That*

Incorporated
under law of
1875.

SEC. 3. The said village of Richmond shall, in all things not herein otherwise provided, be governed and its powers and duties defined by an act entitled "An act granting and defining the powers [and duties] of incorporated villages," approved April first, eighteen hundred and seventy-five, and acts amendatory thereof.

SEC. 4. This act shall take immediate effect.

Approved March 20, 1879.

[No. 307.]

AN ACT to reduce the toll on the Bay City, Vassar and Watrous-ville plank road, and to repeal all acts contravening this act so far as said road is concerned.

Rates of toll.

SECTION 1. *The People of the State of Michigan enact*, That the tolls received on the Bay City, Vassar and Watrous-ville plank road be so changed as to read as follows, viz: For any wheeled vehicle drawn by two animals shall be at the rate of three cents for each mile traveled on said road, and one cent for said vehicles drawn by each additional animal; and two cents a mile for any sleigh, sleighs or sleds drawn by two animals, and one cent additional for each additional animal drawing said sleighs, sled or sleigh; and for any wheeled vehicle drawn by one animal, at the rate of one and one-half cents for each mile traveled on said road. And for any sleigh, sled or sleighs drawn by one animal, at the rate of one cent for each mile of travel on said road. For sheep or swine driven over such road, two cents per score per mile may be charged; two cents per mile may be charged for each score of neat cattle led or driven over such road; and for every horse and rider, or led horse, one cent per mile of travel on said road.

Laws repealed.

SEC. 2. All laws conflicting with this act are hereby repealed, so far as the Bay City, Vassar and Watrous-ville plank road is concerned.

SEC. 3. This act shall take immediate effect.

Approved March 20, 1879.

[No. 308.]

AN ACT to incorporate the city of Mt. Clemens and repeal act number three hundred and seven of the session laws of eighteen hundred and seventy-five, approved April eighth, eighteen hundred and seventy-five.

Territory incor-
porated.

SECTION 1. *The People of the State of Michigan enact*, That the following described territory in the county of Macomb and State of Michigan, bounded and described as follows, to wit: Commencing at a point in the center of the Clinton River, where the line between the townships of Harrison and Clinton intersect the center of said river, thence along the center line of said river, up stream to a

point, the intersection of the line between the lands owned by William M. Campbell and the lands of Samuel Wood with the center line of said river, thence north three degrees east parallel with the west line of private claim five hundred and forty-one along the line between the lands of said Campbell and the lands of said Samuel Wood, and also between the lands of said Campbell and the lands of William Parrott and the lands of Nicholas Dunmer to the northeast corner of the lands of said Campbell in private claim one hundred and sixteen, thence easterly at right angles along the line between the lands owned by Robert Little at time of his decease and the lands of said Dunmer to a point on the west line of private claim five hundred and forty-one, thence northerly along the west line of said claim five hundred and forty-one to the northwest corner of said claim, thence easterly along the north line of said claim to the north east corner of said claim, thence southerly along the east line of said claim to a point on the line between the lands of Andrew Greiner and lands owned by Giles Hubbard at time of his decease, thence easterly at right angles along the line between the said Hubbard's lands and lands of said Greiner and also along the north line of lands of said Greiner to the center of the North Branch road (so called), thence southerly along the center of said road to a point on the line between the lands of Francis Mitchell and James Canfield, thence south eighty-five degrees forty-five minutes east along the line between the lands of Mitchell and Canfield to the center of the Fort Gratiot turnpike, thence south twenty-one degrees fifteen minutes west along the center of said turnpike to a point the center of John Street, thence south thirty-seven degrees east along the center of said John Street and the continuation of the center line of said street to a point the line between the townships of Clinton and Harrison, thence southerly along the said town line to the place of beginning, be and the same is incorporated and made, constituted and organized into a city to be known as the Name of city. city of Mount Clemens.

SEC. 2. The said city shall be divided into three wards as follows, to wit: The first ward shall embrace all that portion of the city lying south of the center line of Shelby street and Cass street. The second ward shall embrace all that portion of the city lying north of Shelby street and Cass street and west of that certain line commencing at the intersection of the center lines of Court street and Cass street, and thence running northeasterly along said Court street and Pearl street and North Gratiot street to the north line of said city. The third ward shall embrace all that portion of said city lying north of Cass street and east of the said line commencing at the intersection of the center lines of Court street and Cass street, thence running northeasterly along Court street, Pearl street and North Gratiot street to the north line of said city.

SEC. 3. The said city of Mount Clemens shall in all things not herein otherwise provided be governed by, and its powers and duties defined and limited by an act entitled "An act for the incorpora- Incorporated under law of 1873.

tion of cities," being act number one hundred and seventy-eight of the session laws of eighteen hundred and seventy-three, approved April twenty-nine, eighteen hundred and seventy-three, which act is hereby made and constituted a part of the charter of said city of Mount Clemens, except as herein otherwise provided: *Provided*, That chapter twenty-eight of said act number one hundred and seventy-eight, entitled "Education," shall not form any part or portion of the charter of said city of Mount Clemens, nor have force or effect therein: *And provided further*, This act shall not be construed as in any way changing or interfering with the school districts of the present township [townships] of Clinton, in said county of Macomb as now organized: *And provided further*, That the said city of Mount Clemens shall in all respects have the same power, duty and authority within its territory in all matters pertaining to the primary school laws of this state that townships now have under the provisions of law.

Provide as to schools.

Provision for first election.

SEC. 4. In case sufficient time shall not intervene after the passage of this act to give the required notice of election on the first Monday of April in the year eighteen hundred and seventy-nine, then the first election in said city shall be held on the third Monday in April, eighteen hundred and seventy-nine, and the manner of holding said first election and the giving notice thereof shall be the same as near as may be as is prescribed in sections eleven, twelve, thirteen and fourteen of chapter one of said act entitled "An act for the incorporation of cities," approved April twenty-nine, eighteen hundred and seventy-three.

Acts repealed.

SEC. 5. Act number three hundred and seven of the session laws of eighteen hundred and seventy-five, approved April eighth eighteen hundred and seventy-five, and all other laws in any way interfering with the proper execution of this act are hereby repealed.

SEC. 6. This act shall take immediate effect.

Approved March 20, 1879.

[No. 309.]

AN ACT to detach certain territory from the present townships of Grayling and Maple Forest, in the county of Crawford, and to organize the same into a separate township, to be called the township of Frederic.

Territory detached.

SECTION 1. *The People of the State of Michigan enact*, That township twenty-seven north of range number four west, now embraced in the township of Grayling, and township number twenty-eight north of range four west, now embraced in the township of Maple Forest, in the county of Crawford, be and the same is detached from the residue of said townships of Grayling and Maple Forest respectively, and organized into a separate township to be known as the township of Frederic.

Name of township.

First annual meeting.

SEC. 2. The first annual meeting in said township of Frederic shall be held on the first Monday of April next, at the store of

Charles W. Wright, in the south half of township twenty-eight north of range four west, and Fred. L. Barker, John F. Hum, and Charles M. Wilson, three electors of said township, are hereby made and constituted a board of inspectors of said township election. And the said Fred. L. Barker, John F. Hum, and Charles M. Wilson shall constitute a board of registration, with like powers and duties of township boards of registration in other cases. And the holding of the session of said board of registration shall be at the store of said Charles W. Wright in said township.

Board of inspectors and registration.

SEC. 3. If for any reason the township meeting provided for in the last preceding section shall not be held at the time designated for holding the same, it shall and may be lawful to hold the same at any time thereafter, by giving at least fifteen days' notice of the time and place of holding such meeting by posting notices thereof in four of the most public places in said township, which notice may be given by said inspectors, or a majority of them.

How election may be held if not held when designated in act.

SEC. 4. If for any cause all or either of the inspectors hereby appointed shall neglect or be unable to attend said board at the time specified, it shall be lawful for the electors of said township present at the time designated for opening the polls of said election, to choose from the electors present, suitable persons to act as inspectors of said election in place of such inspectors who shall neglect or be unable to attend.

How vacancy in board of registration may be filled.

SEC. 5. This act shall take immediate effect.

Approved March 24, 1879.

[No. 310.]

AN ACT to legalize certain bonds issued by the county of Midland.

WHEREAS, The county of Midland is owing twenty thousand dollars in bonds of said county, bearing interest at ten per cent per annum;

Preamble.

AND WHEREAS, The board of supervisors of said county at its regular session in October, in the year of our Lord one thousand eight hundred and seventy-eight, authorized the issuing of twenty thousand dollars in bonds of said county, bearing interest at the rate of seven per cent per annum;

AND WHEREAS, The county clerk of said county of Midland and the chairman of said board of supervisors have executed said bonds in pursuance of the order of said board of supervisors, therefore

SECTION 1. *The People of the State of Michigan enact, That* said twenty thousand dollars, in the bonds of said county, executed by said clerk and chairman of said board of supervisors, bearing interest at seven per cent per annum, be and the same are legal and valid claims against said county of Midland.

Bonds legalized.

SEC. 2. All the acts of said board of supervisors at the [its] October session, in the year eighteen hundred and seventy-eight, in regard to said bonds and the acts of the clerk and chairman of said board

Acts of board of supervisors legalized.

of supervisors in executing said bonds be and the same are legal and valid; and the proceeds of said bonds shall be used for the payment of a like amount of outstanding bonds of said county, and for no other purpose whatever.

SEC. 3. This act shall take immediate effect.

Approved March 24, 1879.

[No. 311.]

AN ACT to amend sections two, seven, twenty-four and twenty-six of act number three hundred and twenty-eight of the session laws of eighteen hundred and seventy-five, entitled "An act to incorporate the village of Vandalia."

Sections amended.	SECTION 1. <i>The People of the State of Michigan enact</i> , That sections two, seven, twenty-four and twenty-six, of act number three hundred and twenty-eight of the session laws of eighteen hundred and seventy-five, entitled "An act to incorporate the village of Vandalia," be and are hereby amended to read as follows :
Village election.	SEC. 2. The inhabitants of said village having the qualifications of electors, under the constitution of the state, shall meet at Merrill hall in said village, on the first Monday of April next, and on the second Monday of April annually thereafter, at such place as shall be provided in the by-laws of said village, and there by ballot shall elect, by plurality of votes, one person to be president of said village, and three persons shall in like manner be elected trustees for one year, and three for two years; and one person also shall be elected marshal, and annually thereafter a president, clerk, and marshal shall be elected as aforesaid, who shall hold their respective offices for one year, and three trustees shall be elected who shall [hold] their offices for two years; but if an election of president and trustees shall not be made on the day when, pursuant to this act it ought to be made, the said corporation shall not, for that cause be dissolved, and it shall be lawful to hold such election at any time thereafter, public notice being given as prescribed by this act for the holding of the regular election. The president and trustees thus elected, together with three trustees whose term of office is unexpired, shall constitute a village board, and a majority of the board shall constitute a quorum for the transaction of business, and a less number may adjourn from time to time. The president shall also be the chief executive officer of the village; he shall preside at the meetings of the board and it shall be his duty to see that all the officers of said village faithfully discharge their duties, and in case of his absence or inability to serve, the trustees shall have power to elect from their own number a president <i>pro tem.</i> , who shall have all the powers and perform all the duties of president.
Village board, quorum, etc.	
Duties of president.	
General powers of president and trustees.	SEC. 7. The president and trustees shall have power to ordain and establish by-laws, rules, and regulations, and to alter and repeal the same at pleasure, for the following purposes, viz. : For the

appointment of a treasurer and assessor and prescribing their duties, and such other officers for said village as they may deem necessary and also such as they may deem necessary and right for the maintenance and preservation of the public places, property, and buildings of said village; to regulate the police thereof; to preserve the public peace; to prevent riots, disturbances, and disorderly assemblages; to tax drinking saloons and billiard tables; to appoint watchmen and policemen, and organize a fire department and define their duties, and prescribe penalties for their delinquencies; to restrain, apprehend, and punish vagrants, mendicants, drunkards, and all disorderly persons; to punish lewd and lascivious behavior in the streets or other public places; to suppress and restrain disorderly and gaming houses, billiard tables, and other devices and instruments of gaming; and shall have the exclusive authority to license such persons as tavern-keepers and common victualers as they shall think best, but no license shall be in force except during the life of the board granting it; to prevent the selling or giving away of spirituous or fermented liquors to drunkards, minors, or apprentices; to prevent and punish inordinate riding or driving in the streets; to abate, prevent, and remove nuisances; to suppress all disorderly houses and houses of ill-fame, and to punish the keepers and inmates thereof; to prevent and compel the removal of all incumbrances, encroachments, and obstructions from the streets, walks, lanes, alleys, parks, and public grounds; to compel the owners and [or] occupants of lots to clear sidewalks in front of and adjacent thereto of snow, ice, dirt, mud, boxes, and every incumbrance or obstruction thereto; to regulate the storage of powder, lumber, or other combustible material; to prevent the use of firearms, slung-shots and other weapons, and fire-works; to construct and regulate markets, the vending of poultry, meats, vegetables, fruits, and fish; to regulate the sale of hay, wood, lime, lumber, and coal; to regulate the gauging of vessels containing liquor, the sealing of weights and measures; to regulate and maintain pounds, and to provide for the restraint of horses, cattle, sheep, swine, mules, and other animals, geese, and other poultry; to prevent the running at large of dogs; to require them to be muzzled, and to authorize their destruction if found at large in violation of any ordinance; to regulate and license cartmen, porters, hacks, and cabs, and to regulate their rates of compensation; to prevent runners from soliciting travelers; to construct hydraulic works to supply the village with water; to light the streets; to borrow money for public improvements, not exceeding one thousand dollars in any one year; to establish wells and cisterns, and to prevent the waste of water; to prevent bathing in public streams; to purchase grounds for and regulate cemeteries and the burial of the dead, and to provide for the bills of mortality, and to order the use, for burial purposes, of any burial ground or cemetery to be discontinued whenever they may deem the same necessary for the best interest of [or] health of the citizens; to ascertain, establish, and settle the boundaries of all streets and alleys, and to establish grades therefor; also to order and cause to

General powers
of president and
trustees.

be drained or filled up, and to assess the cost and expenses on the premises benefited; to regulate the building of partition and other fences; to establish lines upon which buildings may be erected, and beyond which such building shall not extend; to prevent the erection of buildings in an unsafe manner, and to pass all necessary regulations relative to buildings deemed unsafe; to purchase and keep in order fire engines and other fire apparatus, and to construct buildings to store them, and to cause each building occupied as a house, store or shop, to be provided with fire-buckets and ladders; to establish fire limits, within which no wooden building shall be built, enlarged, or placed; to regulate party walls, chimneys, flues, and putting up stoves and stove-pipes; to regulate the construction of smith shops, planing establishments, bakeries, and other buildings considered extra hazardous; to guard against fires; to regulate the duties, powers, and fees of village officers; to prescribe the setting of posts and shade trees; to provide for the construction of sidewalks and repairing the same; to grade the walks, streets, and alleys, and to prescribe the manner of planking or repairing them, the cost and expense of repairing sidewalks, grading the walks, streets, and alleys, the paving or planking to be paid by assessments on the lot in front or adjoining either or all of such improvements shall be made: *Provided*, That so much money, belonging to the highway fund of said village, as the president and trustees may direct may be expended for grading: *And provided further*, That no more than one per cent on the assessed value of any lot shall be collected in any year for such purposes; to construct and keep in repair the public highways, bridges, culverts, and sewers, to lay out new streets and alleys, and to extend those already laid out, under the restrictions provided in this act; to vacate streets and alleys; to prescribe the levying and collection of highway and other taxes; to provide for taking a census whenever they shall see fit; to regulate theaters, shows, and concerts; to regulate and tax at their discretion auctioneers or auction sales, gift enterprises, hawkers, hucksters, peddlers, and pawnbrokers; to regulate the covering of mill races at the expense of the owners thereof; to rail and curb, where necessary, all walks at the expense of the owner of the adjoining lots; to levy taxes on all personal and real estate within the limits of the village, except property belonging to the village, town, county, or state, and all grounds used exclusively for educational purposes; to take the land of any individual for the purpose of constructing, widening, or extending streets, lanes, alleys, drains, or sewers, but not until such individual shall be paid the value thereof, and all buildings thereon, and all the damages he will sustain, as provided for in this act; for the violation of any by-laws, rules, and regulations, such reasonable penalties may be imposed by the law itself as the president and trustees may deem proper, and when any fine or penalty shall not exceed one hundred dollars, the same may be recovered before any justice of the peace in the township of Penn, and any interest the inhabitants of Vandalia may have in the fine or penalty to be recovered shall not disqualify any inhabitant of said village to try

Proviso.

said cause, or serve as a juror or witness therein; and the circuit court for the county of Cass shall also have jurisdiction to try and determine all causes brought for the recovery of any fine or penalty imposed by said by-laws, when the sum claimed shall not exceed the sum of one hundred dollars.

SEC. 24. The president and trustees shall be the commissioners of streets and highways and within the limits of the village shall have the same power and perform the same duties as now by law belong to commissioners of highways in the several townships of this state, and shall appoint one or more overseers of highways to repair and keep in order the highways, streets, and alleys in the village, and shall cause a tax to be levied and collected on the real and personal property in said village, not exceeding one thousand dollars nor less than fifty dollars in any year; the said tax, or part of the same, may be assessed in work in the same manner that highway taxes are levied in the several townships of this state, to be performed or commuted, as they may by ordinance direct; and no other highway tax shall be levied and collected in the village except that every male inhabitant above the age of twenty-one and under the age of fifty years residing in said village on the first day of April in each year, except paupers, idiots, and lunatics, shall be liable to pay a poll tax of one dollar, or one day's work to be assessed and collected at the same time as other highway taxes are assessed and collected, and no other highway taxes shall be assessed by the supervisor of the township of Penn against the real and personal property in the village for building, repairing, or rebuilding any bridge in said township, or for any special expenditure for laying out, opening, working or improving any highway in said township, or for any damages which said township may become liable by reason of any neglect in keeping any bridges or public highway in proper repair. The president and trustees shall have the power to order fences to be removed and to remove such fences themselves, and to open, widen and extend streets and highways, between the first day of April and the first day of November in each year, and may exercise that power at any time during the year, and the president and trustees shall have the exclusive control of the highway money levied and collected in the village.

Who to be commissioner of highways.

Overseers.

Amount of tax for highways.

Poll tax.

Supervisor of township not to assess highway taxes in village.

Power to remove fences.

SEC. 26. All moneys received for licenses from any and all sources shall be paid to the treasurer of said village.

Licenses to be paid treasurer.

SEC. 2. This act shall take immediate effect.

Approved March 24, 1879.

[No. 312.]

AN ACT to detach certain territory from the township of Newton, Mackinaw county, and attach the same to the township of Hendricks in the same county.

SECTION 1. *The People of the State of Michigan enact, That*

Territory detached. townships number forty-three, forty-four, and forty-five, north, of range number nine west, be and the same are hereby detached from the township of Newton, in the county of Mackinaw, and that the same be and they are hereby attached to the township of Hendricks, in said county of Mackinaw.

Attached to township of Hendricks.

SEC. 2. This act shall take immediate effect.
Approved March 24, 1879.

[No. 313.]

AN ACT to detach certain territory from the present township of Belknap, in Presque Isle county, and to organize the same into a separate township to be known as the township of Metz.

Territory detached. SECTION 1. *The People of the State of Michigan enact, That* the south half of townships thirty-three north of ranges two, three and four east, and township [townships] thirty-three north of range five east, except section six in said township, and now forming part of the township of Belknap, in Presque Isle county, be and the same are hereby detached from said township of Belknap, and organized into a separate township to be known as the township of Metz.

First township meeting. SEC. 2. The first annual meeting in said township of Metz shall be held on the first Monday of April next, at the house of Henry Hoffmann, situate in section two, township number thirty-three north, of range five east; Rudolph Wittershiem, Henry Hoffmann and John Newieke, are hereby made and constituted a board of inspectors of said township election; and at such election the qualified voters shall elect by ballot, persons to fill the various township offices, in manner and form as provided by the general law of this State in case of township elections.

If meeting not held when designated how may be held thereafter. SEC. 3. If for any reason the township meeting provided for in the last preceding section shall not be held at the time designated for holding the same, it shall and may be lawful to hold the same at any time thereafter, by giving at least fifteen days' notice of the time and place of holding such meeting, by posting notices thereof in four of the most public places in said township, which notices may be given by said board of inspectors, or a majority of them.

When meeting may choose inspectors. SEC. 4. If for any cause, all or either of the inspectors hereby appointed, shall neglect or be unable to attend the first township meeting at the time specified, it shall be lawful for the electors of said township who shall be present at the time designated for opening the polls of said election, to choose from the electors present, suitable persons to act as inspectors of said election in place of such inspectors who shall neglect or be unable to attend said board.

Board of registration. SEC. 5. And Rudolph Wittershiem, Henry Hoffman and John Newieke, shall constitute a board of registration with like powers and duties of township boards of registration in other cases; and the holding of the session of said board of registration shall be at

the house of Henry Hoffmann, in section two, township thirty-three north, of range five east.

SEC. 6. This act shall take immediate effect.

Approved March 24, 1879.

[No. 314.]

AN ACT to authorize the board of supervisors of Bay county to receive certain lands from the Bay county agricultural society in trust for certain purposes.

SECTION 1. *The People of the State of Michigan enact*, That it shall and may be lawful for the board of supervisors of Bay county, at the request of the Bay county agricultural society, to receive from said society, in the name of said county, the title to the lands heretofore purchased and used as fair grounds by said society, in a perpetual trust for the uses contemplated or thereafter to be declared in accordance with the provisions of chapter seventy-one of the compiled laws, relating to county and town agricultural societies. And said board shall, upon receiving title to said lands, assume in behalf of said county the indebtedness for the purchase [price] of said lands now existing and secured by mortgage thereon, and pay such indebtedness, both principal and interest, as the same becomes due, out of any moneys not otherwise appropriated, or may levy and raise the same by tax for such purpose: *Provided*, That the same shall be submitted to the electors who are tax-payers in Bay county and ratified by them at the spring election: *And provided further*, That no such trust shall be received until a certificate shall have been filed in the county clerk's office, by the prosecuting attorney and register of deeds of said county, that, upon examination by direction of said board of supervisors, they find the lands in question to be owned in fee simple by said society, subject only to said incumbrance for the purchase price thereon.

Supervisors authorized to receive lands from agricultural society.

Supervisors to assume indebtedness.

Provido.

SEC. 2. The president, secretary, and treasurer of said Bay county agricultural society are authorized and empowered, if so instructed by a two-thirds vote of the directors thereof, to make, execute, and deliver a proper deed of conveyance of its said lands to said county in trust, subject to said indebtedness thereon and to all contracts made by said society of which actual notice shall have been given to said board of supervisors. And such conveyance, so made, shall not be subject to any objection to be made on account of the lack of power of said society to convey the same without any other, farther, or different authority than as is herein contained.

President and secretary of agricultural society to deed.

SEC. 3. The said Bay county agricultural society shall, notwithstanding such conveyance, continue to have the charge, possession, supervision, and care of such grounds, and may improve the same in such manner as it may deem proper and in furtherance of the objects for which such society was organized, and in accordance with the laws of this state.

Agricultural society to have charge of grounds.

SEC. 4. It shall be the duty of the several township clerks in the

To levy taxes.	<i>Thirty-second,</i> To assess, levy, and collect taxes for the purposes of the corporation upon all property made taxable by law for state purposes, which taxes shall be a lien upon the property taxed until paid; to appropriate money, including all moneys received from licenses, to provide for the payment of the debt and expenses of the city, and make regulations concerning the same;
To appropriate money.	
To designate route of railroads.	<i>Thirty-third,</i> To determine and designate the routes and grades of any railroads to be laid in said city, and to restrain and regulate the use of locomotives, engines and cars upon the railroads within the city: <i>Provided,</i> Such designation or determination shall not affect the right or claim of any person for damages sustained in consequence of the building of such railroad: <i>Provided further,</i> That no person or persons or corporation shall build any railroad track intended for the passage of locomotive engines, or run, or cause to be run, any locomotive engine, on any track, any part of which track shall be nearer than twenty rods to any part of any lot or block occupied for the purposes of the union or ward schools of the [said] city of Ludington;
Proviso.	
To regulate landing of steamboats, etc.	<i>Thirty-fourth,</i> To prohibit by ordinance any and every steamboat, propeller, or other craft propelled or operated either in whole or in part by steam, from landing or approaching within one hundred feet of any dock or wharf or bank of said city, unless provided with a good and sufficient spark-catcher, so as to prevent cinders or sparks passing into the open air to the danger of firing any property in said city, and may enforce such ordinance by a fine not exceeding one hundred dollars, against the master or owner or person having charge of the steamboat, propeller or other craft which shall, by direction or command of the master, owner or person having charge thereof, violate the provisions of such ordinance and be convicted thereof, and a fine being imposed therefor by any justice's court of said city, such fine and all the costs of the proceedings, shall be a lien on such steamboat, propeller or other craft, and may be enforced, in the name of the city, against such boat, vessel or craft in the same manner that other liens are enforced against water crafts: <i>Provided,</i> That in any proceedings to enforce such lien, no bond or other security shall be required to be given by said city;
Proviso.	
Punishment of offenders.	<i>Thirty-fifth,</i> To punish all offenders for violations of, or offenses against this act, or any by-law or ordinance of the common council adopted or passed under this or any other act of the legislature, by holding to bail for good behavior, by imposing fines and costs, and by imprisonment in the jail of Mason county, or any jail, prison, or work-house of said city, or by either in the discretion of the court or magistrate before whom such conviction may be had. If only a fine be imposed with or without costs, the offender may be sentenced to imprisonment until the payment thereof, for a term not exceeding three months. All punishment for offenses against the ordinances of the common council shall be prescribed in the ordinance creating or specifying the offense to be punished, and no fine shall exceed five hundred dollars, and no imprisonment shall exceed six months.
Limit of fines.	

Thirty-sixth, The said common council shall have power to make all such by-laws, ordinances and regulations as they deem necessary for the safety and good government of the city, and to preserve the health and property of its inhabitants. They shall also have power to purchase for the use of the city so much land without the limits of the city as may be required for the purpose of public cemeteries, the same to be located not exceeding four miles beyond the boundary of the city.

To make necessary ordinances, etc.

Purchase cemeteries.

SEC. 30. The mayor shall be the chief executive officer of the city of Ludington, and conservative of its peace. It shall be his duty to see that all officers of said city faithfully comply with and discharge their official duties; to see that all laws pertaining to the municipal government of said city and all ordinances and resolutions of the common council, be faithfully observed and executed, and he shall have power in his discretion to report to the common council any violation thereof. He shall from time to time give the common council such information and recommend such measures as he shall deem necessary or expedient. He shall have the right to veto any act, ordinance or resolution of the common council. Such veto power shall be exercised by the mayor within two days next after any such act, ordinance or resolution shall have been passed by the common council, and the mayor shall file with the recorder of said city his reasons therefor in writing, and the same shall be submitted to the common council at the next meeting thereof, and no act, ordinance, or resolution so vetoed by the mayor shall be of force and effect unless the same shall be repassed by said common council by a vote of not less than two-thirds of the aldermen elect of said city voting therefor.

Powers and duties of mayor.

Veto power.

SEC. 2. This act shall take immediate effect.

Approved March 27, 1879.

[No. 321.]

AN ACT to authorize and empower the township board of the township of Escanaba, in the county of Delta, in this state, to compromise, settle and discharge a judgment rendered in the circuit court for the county of Delta, in favor of said township of Escanaba against Edward P. Lott, a defaulting treasurer of said township, and Anton Wagener, John Sipschen and Benjamin Young, his sureties, for less than the full amount thereof.

SECTION 1. *The People of the State of Michigan enact*, That the township board of the township of Escanaba be and are hereby authorized and empowered to compromise, settle and discharge for a sum less than the full amount, and upon such terms and for such sum as they may deem just and equitable, a judgment rendered in the circuit court for the county of Delta, in favor of said township of Escanaba, for the sum of three thousand seven hundred and ninety-seven dollars and fifty cents against Edward P. Lott, a defaulting treasurer of said township, and Anton Wagener, John

Township board authorized to settle claim.

Sub-districts.	SEC. 4. For the purpose of the election of trustees under this act, the said union school district shall be divided into three sub-districts, the first to consist of that portion of said district lying north of Flint River, the second to consist of that portion of said district lying south of Flint River and east of Saginaw street, and the third to consist of that portion of said district lying south of Flint river and west of Saginaw street. The election of trustees shall be by ballot, and each qualified voter may vote in the ward in which he resides and not elsewhere, for one person for the office of trustee from his sub-district. Each trustee shall be a qualified voter and resident of the sub-district in which he shall be elected.
Election of trustees.	
Notice.	At least eight days before the election, notice thereof shall be given by the secretary in the official paper of the city, and if any vacancy is to be filled, like notice thereof shall be given. The election shall be held at the same time and place, and conducted in the same manner and by the same officers in each ward as is provided by the charter for the election of ward officers. The inspectors of election in the several wards of the city are hereby required to prepare a separate ballot-box at each of the annual elections provided for in this act, to receive all ballots that may be offered at such election for trustees of said union school district from the sub-district in which the ward may be, and no other officer shall be voted for on such ballot. The said inspectors of election shall make the same canvass and public statement of votes given for trustee as for ward officers, and also a certificate of the number of votes given for each person for the office of trustee, which shall be immediately filed in the office of the secretary of the board of trustees; and on the Wednesday next following such election the said board shall meet at the office of its secretary and ascertain the person who has received the greatest number of votes given for said office in each sub-district, and declare him elected trustee therefrom of said union school district for the term of three years from the first Monday of May then next ensuing, and immediately after such determination said secretary shall cause notice thereof to be given to the persons so elected. When a vacancy in the office of trustee shall exist, it shall be filled by election at the same time and in the same manner as aforesaid, for the residue of the vacant term: <i>Provided</i> , That the voter shall express upon his ballot that the person voted for is to fill vacancy.
Manner of election.	
Duty of inspectors of election.	
Canvass of votes.	
Vacancy.	
Officers elected by board of trustees.	SEC. 6. Within ten days after the first Monday of May in each year, the board of trustees shall meet and elect from their own number a president, a secretary, and a treasurer, who shall severally hold their offices one year and until their successors are duly elected, and whose powers and duties shall be the same as those conferred upon and required of the moderator, director and assessor of school districts in this state, except so far as the same are varied by this act, and who shall be <i>ex officio</i> school inspectors of said union school district, with the powers and duties of school inspectors of townships, and shall make their report directly to the clerk of the county of Genesee; and shall perform all the duties now required, or that may hereafter be required to be per-
School inspectors.	

[No. 323.]

AN ACT to amend sections one, two, three, four, six, seven, eight, nine and twelve of act number three hundred and sixteen of the session laws of eighteen hundred and seventy-seven, being an act entitled "An act to reorganize union school district of the city of Flint, and to repeal act number three hundred and nine of the laws of eighteen hundred and sixty-seven, act number three hundred and seventy-five of the laws of eighteen hundred and seventy-one, and act number twenty-two of the laws of eighteen hundred and seventy-two."

SECTION 1. *The People of the State of Michigan enact*, That sections one, two, three, four, six, seven, eight, nine and twelve of act number three hundred and sixteen of the session laws of eighteen hundred and seventy-seven, be amended so as to be and read as follows:

SEC. 1. That the territory now embraced within the city of Flint shall constitute a single school district, and shall be known and designated as union school district of the city of Flint, and in addition to the powers and privileges hereinafter conferred by this act, it shall have all the powers and privileges, not inconsistent therewith, conferred upon school districts by the general laws of the state:

SEC. 2. The first election of trustees for said union school district, under this act, shall be held on the first Monday of April, in the year eighteen hundred and seventy-nine, and the annual elections shall thereafter be held on the first Monday of April, in each year. The fiscal year of said union school district shall end on the fifteenth day of March, in each year; and it shall be the duty of the board of trustees, within ten days thereafter, to publish a statement in detail of all receipts and expenditures on behalf of said district for the preceding fiscal year, and of all funds then on hand, and of the indebtedness of the district, if any, together with the estimates that have been made of the sums necessary to be raised by the district for purposes not otherwise provided for, for the expenses of the current school year.

SEC. 3. The school board of said union school district shall be constituted of nine trustees, three of whom shall be elected on the first Monday of April, in each year, and hold their offices for the term of three years, from the first Monday of May next following their election, and until their successors shall have been elected and qualified. The term of office of the trustees of said union school district heretofore elected on the first Monday of September, eighteen hundred and seventy-six, shall terminate on the first Monday of May, eighteen hundred and seventy-nine; the term of office of the trustees elected on the second Monday of May, eighteen hundred and seventy-seven, shall terminate on the first Monday of May, eighteen hundred and eighty; and the term of office of the trustees elected on the second Monday of May, eighteen hundred and seventy-eight, shall terminate on the first Monday of May, eighteen hundred and eighty-one.

Sub-districts.	SEC. 4. For the purpose of the election of trustees under this act, the said union school district shall be divided into three sub-districts, the first to consist of that portion of said district lying north of Flint River, the second to consist of that portion of said district lying south of Flint River and east of Saginaw street, and the third to consist of that portion of said district lying south of Flint river and west of Saginaw street. The election of trustees shall be by ballot, and each qualified voter may vote in the ward in which he resides and not elsewhere, for one person for the office of trustee from his sub-district. Each trustee shall be a qualified voter and resident of the sub-district in which he shall be elected.
Election of trustees.	
Notice.	At least eight days before the election, notice thereof shall be given by the secretary in the official paper of the city, and if any vacancy is to be filled, like notice thereof shall be given. The election shall be held at the same time and place, and conducted in the same manner and by the same officers in each ward as is provided by the charter for the election of ward officers. The inspectors of election in the several wards of the city are hereby required to prepare a separate ballot-box at each of the annual elections provided for in this act, to receive all ballots that may be offered at such election for trustees of said union school district from the sub-district in which the ward may be, and no other officer shall be voted for on such ballot. The said inspectors of election shall make the same canvass and public statement of votes given for trustee as for ward officers, and also a certificate of the number of votes given for each person for the office of trustee, which shall be immediately filed in the office of the secretary of the board of trustees; and on the Wednesday next following such election the said board shall meet at the office of its secretary and ascertain the person who has received the greatest number of votes given for said office in each sub-district, and declare him elected trustee therefrom of said union school district for the term of three years from the first Monday of May then next ensuing, and immediately after such determination said secretary shall cause notice thereof to be given to the persons so elected. When a vacancy in the office of trustee shall exist, it shall be filled by election at the same time and in the same manner as aforesaid, for the residue of the vacant term: <i>Provided</i> , That the voter shall express upon his ballot that the person voted for is to fill vacancy.
Manner of election.	
Duty of inspectors of election.	
Canvass of votes.	
Vacancy.	
Officers elected by board of trustees.	SEC. 6. Within ten days after the first Monday of May in each year, the board of trustees shall meet and elect from their own number a president, a secretary, and a treasurer, who shall severally hold their offices one year and until their successors are duly elected, and whose powers and duties shall be the same as those conferred upon and required of the moderator, director and assessor of school districts in this state, except so far as the same are varied by this act, and who shall be <i>ex officio</i> school inspectors of said union school district, with the powers and duties of school inspectors of townships, and shall make their report directly to the clerk of the county of Genesee; and shall perform all the duties now required, or that may hereafter be required to be per-
School inspectors.	

formed by superintendents of schools, in relation to the examination and qualifications of teachers in said district. Said board of trustees shall have power to fill any vacancy that may occur in their number from the occurrence thereof until the time of the next succeeding annual election.

SEC. 7. Said board shall have power to determine the number of schools that shall be taught in said district, and to fix the time for the annual commencement of said school, to appoint a superintendent of schools for said district, and to define his powers and duties, to hire all necessary teachers, and to fix the amount of their compensation, to classify and grade the several schools, and to determine the ages, qualifications and terms for admission thereto, and the conditions for remaining therein, and to assign the scholars to the schools or departments they shall attend, to adopt courses of study and text books, to maintain a high school, to make such rules and by-laws as they may deem necessary for the preservation of the property of the district, for the government of the schools thereof, and in reference to all other matters connected therewith; to levy and collect such sums as they may deem proper for the tuition of each and every scholar taught in said schools who is not actually a resident of said district; and to locate the sites for any and all school houses in said district, and to change the location thereof when they shall deem it necessary.

General powers
of board as to
schools.

SEC. 8. The said board of trustees shall annually, on or before the first Monday of June in each year, estimate and determine the amount necessary to be raised in addition to the other school funds for the ordinary expenses of the schools in said union school district, and for all other ordinary and incidental expenses of said school district: *Provided*, That the amount so to be determined shall not in any one year exceed two per cent of the assessed valuation of the taxable property of said district as last equalized: and previous to the second Monday of June of each year the president and secretary of said board shall make and deliver to each of the supervisors of said city of Flint a certificate in writing signed by them of the amount so determined, and the same shall be levied upon the taxable property of the said union school district, collected and returned at the same time and in the same manner as the taxes for general city purposes. The president and secretary of said board shall in like manner, before the second Monday of October in each year, make to each of said supervisors a certificate of the amount necessary to be raised to meet the next maturing installment of principal and interest on the bonded debt of said school district, and also of any sum or sums which may have been voted to be raised at any special meeting of said district for any of the purposes named in section nine of this act, and the same, as also the two mill tax, shall be levied upon the taxable property of the said union school district, collected and returned at the same time and in the same manner as the State and county taxes. All such school taxes shall be paid by the collector or collectors thereof directly to the treasurer of said district.

Board to estimate amount to be raised for schools.

Proviso.

President and secretary to report to supervisor amount necessary for bonded debt.

SEC. 9. The annual school meeting of said school district shall

Council to control finances.

SEC. 9. The common council, in addition to the powers and duties specially conferred on them by this act, shall have the management and control of the finances, rights and interests, buildings, and all property, real and personal, belonging to the city, and make such orders, by-laws, or ordinances, relating to the same, as they shall deem necessary and proper. They shall also have power within the limits and jurisdiction of said corporation

To preserve purity of waters and regulate mooring, etc., of vessels.

First, To provide for and preserve the purity and salubrity of the waters of Pere Marquette lake and river, and to regulate the cutting of ice therein; to prohibit and prevent the depositing therein of all filthy and other matter tending to render said water impure, unwholesome, or offensive; to preserve and regulate the navigation of the said river, and other navigable waters within the limits of said city; to prohibit and prevent the depositing or keeping thereon any structure, earth, or substance, tending in any manner to obstruct or impair the navigation thereof, and to remove therefrom all obstructions that may at any time occur therein, and to direct and regulate the stationing, anchoring, moving, shifting, and mooring of vessels, and laying out of cargoes and ballasts from the same, so far as may apply to the docks, piers, and property owned by the city, and to appoint so many harbor-masters as they may deem necessary, and to prescribe their powers, duties, and compensation;

To appoint harbor masters.

To regulate ferries.

Second, To license, continue, and regulate so many ferries and bridges within said city over Pere Marquette lake and river, for carrying and transporting persons and property across said river, in such manner as shall seem most conducive to the public good;

To erect and regulate wharves.

Third, To erect, repair, and regulate public wharves and docks at the ends of streets and on the property of the corporation; to regulate the erection and repair of private wharves and docks, so that they shall not extend into the Pere Marquette lake and river beyond a certain line to be established by the common council, and to prohibit the encumbering of all public wharves and docks with boxes, carriages, carts, sleighs, sleds or other vehicle, dray, or thing whatsoever;

To provide for drainage.

Fourth, To provide for the draining of any swamp, marsh, wet or low lands in said city, by the opening of ditches; but a jury, not less than twelve disinterested freeholders of the county of Mason, before any proposed ditch can be opened, shall ascertain that the opening thereof is necessary or proper; also whether the benefit which will accrue to the owner or owners of any land from the opening of the ditch will or will not be equal to any damages he or they will sustain thereby. If such benefits are exceeded by the damages they shall ascertain and certify the damages to which the owner or owners will be entitled, after deducting therefrom the amount of benefit their lands will receive from the opening of the proposed ditch. The common council may by ordinance provide for and regulate the proceedings authorized to be taken under this clause. On payment or tender of the damages thus ascertained and certified, the common council shall have the power to enter upon any land through which the proposed ditch will run, with the

necessary agents, teams and implements to cut and open said ditch ; to protect, clean, and scour it from time to time, so as to preserve its original dimensions, and to prohibit and prevent all obstruction thereof or injury thereto ;

Fifth, To regulate or prohibit and prevent the location or construction of any wooden or frame house, store, shop, or other building on such streets, alleys, and places, or within such limits in said city as the common council may from time to time prescribe ; to prohibit and prevent or regulate the removal of wooden or frame buildings from any part of said city to any lot in such streets, alleys, and places, or within said limits, and the rebuilding of the same ; to regulate or prevent the rebuilding of wooden buildings on said streets, alleys, and places, or within said limits, when damaged by fire or otherwise ;

To prescribe fire limits.

Sixth, To appoint one or more inspectors, measurers, weighers, and guagers of articles to be measured, inspected, weighed or guaged ; to prescribe and regulate their powers and duties, fees and compensation ;

To appoint inspectors.

Seventh, To provide for the protection and care of paupers, and to prohibit and prevent all persons from bringing in vessels or in other mode to said city, from any other port or place, any pauper or other person likely to become a charge upon said city, and to punish therefor ;

To provide for care of paupers, etc.

Eighth, To erect and provide for the erection of a city hall and all needful buildings and offices for the use of the corporation or of its officers, and to control and regulate the same, and to purchase the necessary real estate on which to erect the same ;

To erect city hall.

Ninth, To prevent vice and immorality, to preserve public peace and good order, to appoint, organize, regulate, and maintain a police of the city, and to prevent and quell riots, disturbances and disorderly assemblages and conduct ;

To preserve peace, appoint police, etc.

Tenth, To restrain and prevent disorderly and gaming houses and houses of ill fame ; the holding, keeping, or using of all instruments and devices used for gaming, and to prohibit all gaming and fraudulent devices ;

To restrain disorderly houses, gaming, etc.

Eleventh, To license, regulate, and restrain saloons, restaurants, and billiard rooms or prohibit the same or any of them, and to impose license fees upon any saloon, restaurant, or billiard room kept within the city to such amount as they may see fit, either for the purpose of revenue or regulation or both ;

To regulate and restrain saloons, etc.

Twelfth, To apprehend, restrain, and punish all drunkards, vagrants, mendicants, street beggars, and prostitutes, and to punish and prevent all intoxication and disorderly conduct ;

To punish drunkards, etc.

Thirteenth, To prohibit and prevent or license and regulate all sports, public exhibitions of natural or artificial curiosities, caravans, circuses, menageries, theatrical representations, concerts, musical entertainments, exhibitions of common showmen and shows of any kind ;

To regulate sports and public exhibitions, etc.

Fourteenth, To prohibit, prevent, abate and remove all nuisances within said city, and to compel the owner or occupant of any grocery, tallow chandler's shop, butcher's shop or stall, soap factory,

To abate nuisances.

- glue factory, tannery, slaughter-house, stable, privy, hog-pen, sewer, or other offensive house or place, to cleanse, remove, or abate the same as often as they may deem necessary for the health, comfort and convenience of the inhabitants of the city;
- Fifteenth*, To direct and regulate the location and maintenance of all slaughter-houses, markets, and buildings for storing gunpowder and other combustible substances; to prevent or regulate the carrying on of manufactories dangerous in causing or promoting fires, and to prohibit or regulate the buying, selling, keeping for sale, storing, and transporting gunpowder, naphtha, saltpeter, benzine, benzole, petroleum, kerosene oil, fire-crackers, fire-works, and other combustible substances, and the using thereof; the exhibition of fire-works and the discharge of fire-arms; the use of lights in barns, stables, and other buildings, and the making of bonfires;
- Sixteenth*, To prevent the incumbering or obstruction of streets, side or cross-walks, lanes, alleys, bridges, wharves, or slips in any manner whatsoever, and compel persons owning or occupying adjoining premises to keep the streets and sidewalks in front of such premises free from dirt and obstructions;
- Seventeenth*, To prevent and punish horse racing and immoderate riding or driving in said city; to compel persons to fasten or secure their horses, oxen, or other animals while standing in any of the streets, lanes, or alleys, of the city, and to prevent persons from riding or driving upon or across any sidewalk, and to compel all persons to keep sidewalks in front of premises owned or occupied by them clear from snow, dirt, wood, or other obstructions;
- Eighteenth*, To prevent dog-fights in the streets; to prevent or regulate the running at large of dogs; to impose taxes for the keeping of dogs, and to authorize their destruction when running at large in violation of any ordinance;
- Nineteenth*, To prohibit and prevent any indecent exposure of the person, the show, sale, or exhibition of any indecent or obscene books, pictures, or pamphlets, and all indecent exhibitions or shows of any kind, and all indecent, immoral, profane or disorderly conduct or language, and to prohibit or regulate the bathing in any public waters within said city;
- Twentieth*, To establish, regulate and maintain one or more pounds, and to restrain and prevent or regulate the running at large of horses, cattle, swine and other animals, geese and poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the cost of keeping and impounding;
- Twenty-first*, To prevent every species of gaming and to prevent the violation of the Sabbath and the disturbance of any religious congregation or any other public meeting assembled for any lawful purpose;
- Twenty-second*, To protect and regulate all cemeteries or graveyards within the city and all such without the limits of said city as such corporation may acquire, and to regulate the burial of the dead and the keeping of bills of mortality;
- Twenty-third*, To prohibit the bringing or depositing within the

To regulate location of slaughter houses and storing combustibles, etc.

To prevent obstruction of streets.

To prevent horse racing and immoderate driving.

Dogs.

Indecent exposure, obscene books, etc.

To maintain pounds and prevent cattle, etc., running at large.

To prevent violation of Sabbath

To regulate cemeteries.

limits of said city any dead carcass, or other unwholesome or offensive substance, and to provide for the removal or destruction thereof of wheresoever found; Offensive substances.

Twenty-fourth. To lay out, establish, make, alter and regulate market places, and public parks, or grounds, and regulate the measuring and selling of firewood and the weighing and selling of hay, and the selling of meats, vegetables, fish, fruits, and provisions of all kinds; Market places and public parks.

Twenty-fifth. To regulate the setting of awning and other posts, and to direct and regulate the planting of shade or ornamental trees in the streets and other public grounds and to provide for the preservation of the same; Shade and ornamental trees, etc.

Twenty-sixth. To provide for calling of meetings of the electors of the city, and to determine and regulate the compensation of all officers elected or appointed under this act, except as is herein otherwise provided; but the compensation of no officer fixed by an annual or periodical salary, shall be increased or diminished during the term for which he was elected or appointed, unless by a three-fourths vote of the common council; to authorize and regulate the demand and receipt by officers of such fees and costs, and in such cases as the common council shall deem reasonable, and to prescribe, fix, determine, and regulate the powers and duties of all officers of the city subject to the provisions of this act; Meetings of electors and compensation of officers.

Twenty-seventh. To survey, ascertain, and establish the boundaries of the city and of all highways, streets, avenues, lanes, alleys, public parks, squares, and spaces in said city; to prohibit and remove all encroachments upon the same in any manner; and to provide for and regulate the numbering of the buildings upon the streets or alleys, and to compel the owners or occupants of buildings to affix numbers on the same; To establish boundaries of city, streets, parks, etc.

Twenty-eighth. To license and regulate the keeping of hotels, taverns, and other public houses, groceries and saloons, and victualing and other houses or places for furnishing meals, food, or drink, and to regulate and restrain the keepers of billiard tables and bowling alleys; also to license and regulate or prohibit auctioneers, hawkers, peddlers, and pawnbrokers, and regulate auctions, hawking, and pawnbrokerage, and to prevent disturbing noises in the streets; To regulate public houses, etc. Auctioneers, etc.

Twenty-ninth. To license and regulate butchers, and keepers of shops, stalls, and stands for the sale of meats, vegetables, and provisions of all kinds, and all draymen and hackmen, and all persons who carry or transport persons or property for hire; to designate stands for all carriages, carts, or drays, used in carrying persons or property for hire, and to prescribe their fare and compensation; To regulate shop keepers, etc. Stands for carriages.

Thirtieth. To regulate the weights and measures used in the city; to appoint one or more sealers of weights and measures, and prescribe the duties and powers thereof, and the penalty for using false weights and measures not conforming to the standard as established by the laws of this state; To regulate weights and measures.

Thirty-first. To appoint and prescribe the powers and duties of watchmen, and the fines and penalties of their delinquencies; To appoint watchmen.

To levy taxes.	<i>Thirty-second,</i> To assess, levy, and collect taxes for the purposes of the corporation upon all property made taxable by law for state purposes, which taxes shall be a lien upon the property taxed until paid; to appropriate money, including all moneys received from licenses, to provide for the payment of the debt and expenses of the city, and make regulations concerning the same;
To appropriate money.	
To designate route of rail-roads.	<i>Thirty-third,</i> To determine and designate the routes and grades of any railroads to be laid in said city, and to restrain and regulate the use of locomotives, engines and cars upon the railroads within the city: <i>Provided,</i> Such designation or determination shall not affect the right or claim of any person for damages sustained in consequence of the building of such railroad: <i>Provided further,</i> That no person or persons or corporation shall build any railroad track intended for the passage of locomotive engines, or run, or cause to be run, any locomotive engine, on any track, any part of which track shall be nearer than twenty rods to any part of any lot or block occupied for the purposes of the union or ward schools of the [said] city of Ludington;
Proviso.	
To regulate landing of steamboats, etc.	<i>Thirty-fourth,</i> To prohibit by ordinance any and every steamboat, propeller, or other craft propelled or operated either in whole or in part by steam, from landing or approaching within one hundred feet of any dock or wharf or bank of said city, unless provided with a good and sufficient spark-catcher, so as to prevent cinders or sparks passing into the open air to the danger of firing any property in said city, and may enforce such ordinance by a fine not exceeding one hundred dollars, against the master or owner or person having charge of the steamboat, propeller or other craft which shall, by direction or command of the master, owner or person having charge thereof, violate the provisions of such ordinance and be convicted thereof, and a fine being imposed therefor by any justice's court of said city, such fine and all the costs of the proceedings, shall be a lien on such steamboat, propeller or other craft, and may be enforced, in the name of the city, against such boat, vessel or craft in the same manner that other liens are enforced against water crafts: <i>Provided,</i> That in any proceedings to enforce such lien, no bond or other security shall be required to be given by said city;
Proviso.	
Punishment of offenders.	<i>Thirty-fifth,</i> To punish all offenders for violations of, or offenses against this act, or any by-law or ordinance of the common council adopted or passed under this or any other act of the legislature, by holding to bail for good behavior, by imposing fines and costs, and by imprisonment in the jail of Mason county, or any jail, prison, or work-house of said city, or by either in the discretion of the court or magistrate before whom such conviction may be had. If only a fine be imposed with or without costs, the offender may be sentenced to imprisonment until the payment thereof, for a term not exceeding three months. All punishment for offenses against the ordinances of the common council shall be prescribed in the ordinance creating or specifying the offense to be punished, and no fine shall exceed five hundred dollars, and no imprisonment shall exceed six months.
Limit of fines.	

Thirty-sixth, The said common council shall have power to make all such by-laws, ordinances and regulations as they deem necessary for the safety and good government of the city, and to preserve the health and property of its inhabitants. They shall also have power to purchase for the use of the city so much land without the limits of the city as may be required for the purpose of public cemeteries, the same to be located not exceeding four miles beyond the boundary of the city.

To make necessary ordinances, etc.

Purchase cemeteries.

SEC. 30. The mayor shall be the chief executive officer of the city of Ludington, and conservative of its peace. It shall be his duty to see that all officers of said city faithfully comply with and discharge their official duties; to see that all laws pertaining to the municipal government of said city and all ordinances and resolutions of the common council, be faithfully observed and executed, and he shall have power in his discretion to report to the common council any violation thereof. He shall from time to time give the common council such information and recommend such measures as he shall deem necessary or expedient. He shall have the right to veto any act, ordinance or resolution of the common council. Such veto power shall be exercised by the mayor within two days next after any such act, ordinance or resolution shall have been passed by the common council, and the mayor shall file with the recorder of said city his reasons therefor in writing, and the same shall be submitted to the common council at the next meeting thereof, and no act, ordinance, or resolution so vetoed by the mayor shall be of force and effect unless the same shall be repassed by said common council by a vote of not less than two-thirds of the aldermen elect of said city voting therefor.

Powers and duties of mayor.

Veto power.

SEC. 2. This act shall take immediate effect.

Approved March 27, 1879.

[No. 321.]

AN ACT to authorize and empower the township board of the township of Escanaba, in the county of Delta, in this state, to compromise, settle and discharge a judgment rendered in the circuit court for the county of Delta, in favor of said township of Escanaba against Edward P. Lott, a defaulting treasurer of said township, and Anton Wagener, John Sipschen and Benjamin Young, his sureties, for less than the full amount thereof.

SECTION 1. *The People of the State of Michigan enact*, That the township board of the township of Escanaba be and are hereby authorized and empowered to compromise, settle and discharge for a sum less than the full amount, and upon such terms and for such sum as they may deem just and equitable, a judgment rendered in the circuit court for the county of Delta, in favor of said township of Escanaba, for the sum of three thousand seven hundred and ninety-seven dollars and fifty cents against Edward P. Lott, a defaulting treasurer of said township, and Anton Wagener, John

Township board authorized to settle claim.

Proviso. Sipschen and Benjamin Young, as his sureties, and upon the payment to the said township board of the amount for which said judgment is compromised, the said judgment shall be as fully and completely discharged as if the whole amount of said judgment had been paid: *Provided*, That a sum not less than fifty per cent of the amount of the judgment, costs and interest thereon, shall accrue to the said township of Escanaba by the terms of such settlement.

SEC. 2. This act shall take immediate effect.

Received at executive office March 27, 1879.*

[No. 322.]

AN ACT to amend sections one and twelve of act number two hundred and twenty-two of the session laws of eighteen hundred and seventy-three, entitled "An act to incorporate the village of Pierson," approved March twenty-seventh, eighteen hundred and seventy-three.

Sections amended.

SECTION 1. *The People of the State of Michigan enact*, That sections one and twelve of act number two hundred and twenty-two of the session laws of eighteen hundred and seventy-three, entitled "An act to incorporate the village of Pierson," approved March twenty-seventh, eighteen hundred and seventy-three, be amended so as to read as follows:

Territory incorporated.

SECTION 1. *The People of the State of Michigan enact*, That all that tract of country situated in the township of Pierson, in the county of Montcalm, and distinguished and designated on the plat in the land office of the district as the south half of the southeast quarter of section twenty-one, south half of the southwest quarter of section twenty-two, southwest quarter of the southeast quarter of section twenty-two, west half of the northeast quarter of section twenty-seven, northwest quarter of section twenty-seven, north half of the southwest quarter of section twenty-seven, northwest quarter of the southeast quarter of section twenty-seven, northeast quarter of section twenty-eight, and north half of southeast quarter of section twenty-eight, the northeast quarter of southwest quarter of section twenty-eight, the east half of the northwest quarter of section twenty-eight, and the southeast one-quarter of the southwest quarter of section twenty-one, town eleven north, range of ten west, be and the same is hereby constituted a village corporate, to be known by the name of the village of Pierson.

Name.

How vacancy in office filled.

SEC. 12. In case a vacancy shall occur in any of the offices provided for in the second section of this act, the same shall be supplied by appointment of the common council, until the time of the next village election and until their successors are elected and qualified.

SEC. 2. This act shall take immediate effect.

Approved March 29, 1879.

* Became a law under section 14, article IV., of the constitution, without the approval of the governor.

[No. 323.]

AN ACT to amend sections one, two, three, four, six, seven, eight, nine and twelve of act number three hundred and sixteen of the session laws of eighteen hundred and seventy-seven, being an act entitled "An act to reorganize union school district of the city of Flint, and to repeal act number three hundred and nine of the laws of eighteen hundred and sixty-seven, act number three hundred and seventy-five of the laws of eighteen hundred and seventy-one, and act number twenty-two of the laws of eighteen hundred and seventy-two."

SECTION 1. *The People of the State of Michigan enact*, That sections one, two, three, four, six, seven, eight, nine and twelve of act number three hundred and sixteen of the session laws of eighteen hundred and seventy-seven, be amended so as to be and read as follows :

SEC. 1. That the territory now embraced within the city of Flint shall constitute a single school district, and shall be known and designated as union school district of the city of Flint, and in addition to the powers and privileges hereinafter conferred by this act, it shall have all the powers and privileges, not inconsistent therewith, conferred upon school districts by the general laws of the state:

SEC. 2. The first election of trustees for said union school district, under this act, shall be held on the first Monday of April, in the year eighteen hundred and seventy-nine, and the annual elections shall thereafter be held on the first Monday of April, in each year. The fiscal year of said union school district shall end on the fifteenth day of March, in each year; and it shall be the duty of the board of trustees, within ten days thereafter, to publish a statement in detail of all receipts and expenditures on behalf of said district for the preceding fiscal year, and of all funds then on hand, and of the indebtedness of the district, if any, together with the estimates that have been made of the sums necessary to be raised by the district for purposes not otherwise provided for, for the expenses of the current school year.

SEC. 3. The school board of said union school district shall be constituted of nine trustees, three of whom shall be elected on the first Monday of April, in each year, and hold their offices for the term of three years, from the first Monday of May next following their election, and until their successors shall have been elected and qualified. The term of office of the trustees of said union school district heretofore elected on the first Monday of September, eighteen hundred and seventy-six, shall terminate on the first Monday of May, eighteen hundred and seventy-nine; the term of office of the trustees elected on the second Monday of May, eighteen hundred and seventy-seven, shall terminate on the first Monday of May, eighteen hundred and eighty; and the term of office of the trustees elected on the second Monday of May, eighteen hundred and seventy-eight, shall terminate on the first Monday of May, eighteen hundred and eighty-one.

Sub-districts.	SEC. 4. For the purpose of the election of trustees under this act, the said union school district shall be divided into three sub-districts, the first to consist of that portion of said district lying north of Flint River, the second to consist of that portion of said district lying south of Flint River and east of Saginaw street, and the third to consist of that portion of said district lying south of Flint river and west of Saginaw street. The election of trustees shall be by ballot, and each qualified voter may vote in the ward in which he resides and not elsewhere, for one person for the office of trustee from his sub-district. Each trustee shall be a qualified voter and resident of the sub-district in which he shall be elected.
Election of trustees.	At least eight days before the election, notice thereof shall be given by the secretary in the official paper of the city, and if any vacancy is to be filled, like notice thereof shall be given. The election shall be held at the same time and place, and conducted in the same manner and by the same officers in each ward as is provided by the charter for the election of ward officers. The inspectors of election in the several wards of the city are hereby required to prepare a separate ballot-box at each of the annual elections provided for in this act, to receive all ballots that may be offered at such election for trustees of said union school district from the sub-district in which the ward may be, and no other officer shall be voted for on such ballot. The said inspectors of election shall make the same canvass and public statement of votes given for trustee as for ward officers, and also a certificate of the number of votes given for each person for the office of trustee, which shall be immediately filed in the office of the secretary of the board of trustees; and on the Wednesday next following such election the said board shall meet at the office of its secretary and ascertain the person who has received the greatest number of votes given for said office in each sub-district, and declare him elected trustee therefrom of said union school district for the term of three years from the first Monday of May then next ensuing, and immediately after such determination said secretary shall cause notice thereof to be given to the persons so elected. When a vacancy in the office of trustee shall exist, it shall be filled by election at the same time and in the same manner as aforesaid, for the residue of the vacant term: <i>Provided, That</i> the voter shall express upon his ballot that the person voted for is to fill vacancy.
Notice.	
Manner of election.	
Duty of inspectors of election.	
Canvass of votes.	
Vacancy.	
Officers elected by board of trustees.	SEC. 6. Within ten days after the first Monday of May in each year, the board of trustees shall meet and elect from their own number a president, a secretary, and a treasurer, who shall severally hold their offices one year and until their successors are duly elected, and whose powers and duties shall be the same as those conferred upon and required of the moderator, director and assessor of school districts in this state, except so far as the same are varied by this act, and who shall be <i>ex officio</i> school inspectors of said union school district, with the powers and duties of school inspectors of townships, and shall make their report directly to the clerk of the county of Genesee; and shall perform all the duties now required, or that may hereafter be required to be per-
School inspectors.	

formed by superintendents of schools, in relation to the examination and qualifications of teachers in said district. Said board of trustees shall have power to fill any vacancy that may occur in their number from the occurrence thereof until the time of the next succeeding annual election.

SEC. 7. Said board shall have power to determine the number of schools that shall be taught in said district, and to fix the time for the annual commencement of said school, to appoint a superintendent of schools for said district, and to define his powers and duties, to hire all necessary teachers, and to fix the amount of their compensation, to classify and grade the several schools, and to determine the ages, qualifications and terms for admission thereto, and the conditions for remaining therein, and to assign the scholars to the schools or departments they shall attend, to adopt courses of study and text books, to maintain a high school, to make such rules and by-laws as they may deem necessary for the preservation of the property of the district, for the government of the schools thereof, and in reference to all other matters connected therewith; to levy and collect such sums as they may deem proper for the tuition of each and every scholar taught in said schools who is not actually a resident of said district; and to locate the sites for any and all school houses in said district, and to change the location thereof when they shall deem it necessary.

General powers
of board as to
schools.

SEC. 8. The said board of trustees shall annually, on or before the first Monday of June in each year, estimate and determine the amount necessary to be raised in addition to the other school funds for the ordinary expenses of the schools in said union school district, and for all other ordinary and incidental expenses of said school district: *Provided*, That the amount so to be determined shall not in any one year exceed two per cent of the assessed valuation of the taxable property of said district as last equalized: and previous to the second Monday of June of each year the president and secretary of said board shall make and deliver to each of the supervisors of said city of Flint a certificate in writing signed by them of the amount so determined, and the same shall be levied upon the taxable property of the said union school district, collected and returned at the same time and in the same manner as the taxes for general city purposes. The president and secretary of said board shall in like manner, before the second Monday of October in each year, make to each of said supervisors a certificate of the amount necessary to be raised to meet the next maturing installment of principal and interest on the bonded debt of said school district, and also of any sum or sums which may have been voted to be raised at any special meeting of said district for any of the purposes named in section nine of this act, and the same, as also the two mill tax, shall be levied upon the taxable property of the said union school district, collected and returned at the same time and in the same manner as the State and county taxes. All such school taxes shall be paid by the collector or collectors thereof directly to the treasurer of said district.

Board to estimate amount to be raised for schools.

Proviso.

President and secretary to report to supervisor amount necessary for bonded debt.

SEC. 9. The annual school meeting of said school district shall

Annual school meeting.	hereafter be held on the third Monday of May in each year, at the central school building at seven and one-half o'clock P. M., and due notice thereof shall be given by the board of trustees. The
Commencement of school year.	annual school year shall commence on the first day of July. At such annual meeting the qualified voters present shall determine
Teachers.	whether the schools shall be taught by male or female teachers, or both, and the length of the time the schools shall be taught in the district during the ensuing school year, which shall not be less than nine months, on pain of forfeiture of their share of the two mill tax and primary school fund. Should any of these matters not be determined at the annual meeting, the district board shall have power and it shall be their duty to determine the same. No
Notice of intention to purchase lot, etc.	proposition to purchase a lot or build a school-house, shall be acted on at any annual meeting, unless notice thereof shall have been given in the call for such meeting. Special meetings of said district may be called by the board of trustees at any time, and shall be called by the president thereof on a petition of twenty-five tax-paying electors of the district, but no business shall be transacted at any special meeting other than that indicated in the notice
Special meetings.	calling such meeting. The qualified voters of said district, when so assembled in district meeting called for such purpose, may by a majority vote of all those present and voting, raise by tax upon the taxable property of the district, such sum or sums as shall be necessary to purchase lots, build school-houses and furnish the same, and may authorize the board of trustees to borrow money on the bonds of the district for such term of years and at such rate of interest not exceeding seven per cent per annum, as the meeting may direct for the purpose of purchasing sites for school-houses, building school-houses and making additions thereto, or for payment of the bonds of the district to become due.
Tax to purchase lot, build school house, etc.	SEC. 12. Any person elected to the office of trustee of said district shall on or before the first Monday of May thereafter, take and subscribe the constitutional oath of office before some person authorized to administer oaths, and deliver the same to the said secretary, who shall file it in his office. In case any person elected trustee shall fail to take, subscribe and deliver his oath of office as aforesaid, the office shall become vacant.
Qualification of trustees.	SEC. 2. This act shall take immediate effect.
When office of trustee to become vacant.	Approved March 29, 1879.

[No. 324.]

AN ACT to prohibit catching speckled trout from any lake, river, or stream in the county of Oceana, in this State.

SECTION 1. *The People of the State of Michigan enact, That* it shall not be lawful for any person to catch or take from any lake, river, or stream of the county of Oceana, in this State, by any means whatsoever, any speckled trout prior to the first day of May, in the year one thousand eight hundred and eighty-one.

When unlawful to catch speckled trout.

SEC. 2. Any person violating section one of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be liable to a fine not less than five dollars and not to exceed fifty dollars and costs of suit, or to imprisonment in the county jail not less than ten days and not to exceed thirty days, in the discretion of the court. Penalty.

SEC. 3. This act shall take immediate effect.

Approved March 29, 1879.

[No. 325.]

AN ACT to reincorporate the village of Berrien Springs, in Berrien county, and to repeal act number three hundred and ninety-eight of the session laws of eighteen hundred and sixty-seven entitled "An act to incorporate the village of Berrien Springs, Berrien county, Michigan," approved March twenty-two, eighteen hundred and sixty-seven.

SECTION 1. *The People of the State of Michigan enact, That* all that tract of country situated in the county of Berrien and State of Michigan and designated as follows, viz.: beginning at a stake on the St. Joseph river, in the northerly line of Hamilton street, in the village of Berrien Springs, in the township of Oronoko, thence running south forty-eight degrees west on the northerly line of said Hamilton street, seven and thirty-one one-hundredths chains, to where the westerly line of Bluff street, if extended, would cross the said northerly line of Hamilton street, thence south eighty-eight degrees west thirty chains, to the center of [the] Berrien and St. Joseph road, thence due south fifty-seven and seventy-seven one-hundredths chains, to the center of the Terre Coupée road, thence due east forty-five and twenty-nine one-hundredths chains, to a stake on the left bank of the Saint Joseph river, from which a sycamore tree, twenty-eight inches in diameter, bears south twenty-seven degrees west, and distant therefrom twenty-one links, thence following the meanders of the left bank of said river to the place of beginning, be and the same is hereby reincorporated as the village of Berrien Springs. Territory incorporated.

SEC. 2. The officers in said village now in office shall continue in office, with the same powers and duties as are conferred by this act upon like officers, until their successors shall be elected, pursuant to the provisions of this act and the general law relating to villages, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five. Officers to continue in office.

SEC. 3. All ordinances and resolutions of said village of Berrien Springs shall continue in force until repealed. Ordinances to continue in force.

SEC. 4. The first election of officers under the provisions of said act shall be held at the council room of said village on the first Monday of April, in the year of our Lord one thousand eight hundred and seventy-nine, and the polls shall be opened at the time, First election.

and the said election shall be held and conducted in all respects as provided for in the general act, and the legal voters of said village shall be registered as provided for by the law in relation to the registration of voters and by said general act, and the present village recorder and two of the present village trustees shall be the village board of registration for the present year, and shall act as such board at the time and place stated in section seven, chapter one of said general act; and notice of such registration shall be given according to said section; said registration shall be held at the said council room in said village.

Notice of election.

SEC. 5. Notice of the first election of officers under the preceding section and said general act shall be given by the present board of trustees of said village, by posting three written or printed notices thereof in three of the most public places in said village, at least eight days before the said election.

Incorporated under law of 1873.

SEC. 6. Said village of Berrien Springs is hereby made subject to the general law entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five. Said village shall possess all the powers and be subject to all the duties and liabilities imposed by said act: *Provided, however,* That nothing in this act or the general law contained shall make it incumbent on the said corporation to build or keep in repair any of the bridges now constructed or hereafter to be constructed across the Saint Joseph river within the limits of said village: *And provided further,* That for the purpose of building, maintaining, and repairing the bridges over the Saint Joseph river, within the limits of [the] said village, the township within which said village is situated shall be deemed a township as it existed before the incorporation of said village of Berrien Springs, and shall be subject to all the provisions of the general laws of this State relative to the building, maintaining and keeping in repair such bridges.

Proviso.

Further proviso.

Council may levy tax for sale of liquors, etc.

SEC. 7. The council may provide by ordinance for the assessment and collection of a tax of not less than twenty-five dollars nor more than one hundred and fifty dollars annually upon each and every person within the limits of said village who is or shall be engaged in the business of selling or offering for sale as a beverage spirituous or intoxicating liquors, malt or brewed liquors or any intoxicating beverage by wholesale or retail.

School district.

SEC. 8. The lands within the limits of the corporation of the village of Berrien Springs and such contiguous territory as is or may hereafter be thereto annexed for school purposes, shall constitute a single school district and be known and designated as school district number one, of the township of Oronoko, and such district shall have all the powers and privileges conferred upon school districts by general law, and in addition thereto such powers and privileges as are conferred by this act:

Officers of school district.

First, The officers of said district shall consist of six trustees, and the term of service shall be three years each, and shall together constitute a district board of education. The trustees now serving in said district shall continue in office until their respective terms shall expire;

Second, At the annual meeting of said district, to be held on the first Monday of June, one thousand eight hundred and seventy-nine, the qualified voters thereof shall elect by ballot, two trustees for the term of three years, and annually thereafter in the same manner they shall elect two trustees, who shall hold their offices for three years and until their successors shall have been elected and qualified, and also at the same time and in the same manner shall fill all vacancies that may exist in said board;

Annual meeting
of school district.

Third, Within ten days after each annual meeting, the trustees thus elected shall meet, and elect from their own number, a president, secretary, and treasurer, whose powers and duties shall be the same as those conferred upon and required of the moderator, director, and assessor of school districts in this state, except so far as the same are increased or modified by the provisions of this act, or by former special acts passed for the benefit of said district; said board shall have the power to fill any and all vacancies that may occur in their number until the next annual meeting;

Election of
president, secre-
tary and treas-
urer of school
district.

Vacancies.

Fourth, Said board shall have the power to hire any and all necessary teachers for the several schools of said district, and fix the amount of their compensation, and all teachers employed by said board shall be considered as legally qualified, without examination by the school inspectors, to classify and grade said schools, and determine the ages and qualifications for admission thereto: *Provided,* No scholars otherwise entitled to admission, and between the ages of five and eighteen, shall be excluded therefrom; to adopt courses of study and text books for the use of said schools, and to enact such rules and by-laws as may be necessary for the preservation of all the property belonging to said district, for the government of the schools, and in reference to all business connected therewith; and also to levy and collect such sums as they may deem proper for the tuition of each and every scholar taught in said district, who is not actually a resident thereof;

Hiring teachers,
etc.

Proviso.

Fifth, The qualified voters of such district may, by vote, at the annual meeting, or at any special meeting called for that purpose, raise by tax on the taxable property of the district such sum as shall be necessary to make the several schools of the districts [district] free of tuition in all English branches to the resident scholars thereof;

District may
raise by tax
money to support
school.

Sixth, The treasurer of said district shall have the power in the name of the district to collect all moneys due for the tuition of scholars who are not actually residents thereof, by suit at law, under the direction of the said district board;

Treasurer to col-
lect all moneys
due from non-
resident schol-
ars.

Seventh, The said board shall publish the rules and by-laws they may from time to time enact, by posting them wherever a school is held and kept in said district, and the secretary of said board shall also record the same in a book to be kept for that purpose.

Board to publish
by-laws.

SEC. 9. The village as reincorporated shall possess all the property and rights, and be subject to all the liabilities and obligations of the village as heretofore incorporated.

Village to pos-
sess property,
rights, etc., of
former corpora-
tion.

SEC. 10. Act number three hundred and ninety-eight of the session laws of eighteen hundred and sixty-seven, entitled "An act to

Act repealed.

incorporate the village of Berrien Springs, Berrien county, Michigan," approved March twenty-two, eighteen hundred and sixty-seven, is hereby repealed.

SEC. 11. This act shall take immediate effect.

Approved March 29, 1879.

[No. 326.]

AN ACT to authorize the county of Kalamazoo to raise money by taxation to buy and improve grounds for agricultural fair purposes.

Qualified voters
may vote to raise
money by tax.

SECTION 1. *The People of the State of Michigan enact, That* it shall be lawful for the qualified voters, who are tax-payers in the county of Kalamazoo, to vote for and raise by tax a sum of money not exceeding twelve thousand dollars, to be used by the proper officers of the Kalamazoo county agricultural society in the purchase and improvement of grounds in the county of Kalamazoo for agricultural fair purposes.

Duty of township
clerks to give
notice.

SEC. 2. It shall be the duty of the township clerks of [in] the several townships of the county of Kalamazoo, at the written request of the president, secretary and treasurer of the Kalamazoo county agricultural society, to give notice by a written or printed notice, by posting the same in five public places in each of the several townships of the county of Kalamazoo, at least five days before the annual township meeting, of the intention to vote by ballot on the question of raising by tax the sum of twelve thousand dollars for the purpose named in the first section of this act.

Vote by ballot at
township meet-
ing.

SEC. 3. At any annual township meeting after the passage of this act, the qualified voters who are tax-payers in the county of Kalamazoo, may vote by ballot on the question hereinbefore named; those voting in favor of raising by tax the sum aforesaid, having on their ballots the words "For purchasing county fair grounds,—Yes;" and those voting against raising such tax, having on their ballots the words "For purchasing county fair grounds,—No;" and the ballots so cast shall be canvassed by the proper canvassing officers of the several townships and returns made to the office of the county clerk of the county of Kalamazoo as returns are required to be made of township officers elected at the annual township meetings in the state of Michigan: *Provided, That no* person shall be allowed to vote upon such proposition unless his name appears on the assessment roll of the township or ward in which he offers to vote for the current year, or unless he files with the inspectors of election an affidavit that he is then the owner of real estate in such township or ward liable to be taxed, and that such real estate was purchased by him *bona fide* and not for the purpose of voting at such election.

Form of ballot.

Canvass and
return.

Proviso—as to
qualification of
voters.

Sum to be spread
on tax roll.

SEC. 4. At an election held as prescribed in the foregoing sections of this act if a majority of the qualified voters who are tax-payers in the county of Kalamazoo voting on said proposition to

raise by tax the sum of twelve thousand dollars shall vote "Yes," then said sum shall be spread upon the tax rolls, in the several townships of the county of Kalamazoo, in proper proportions as other county taxes are assessed.

SEC. 5. Said sum of twelve thousand dollars shall be paid, when collected, into the hands of the county treasurer, and by him paid to the treasurer of the Kalamazoo county agricultural society upon the order of the president and secretary of said society, they certifying in said order that said sum is required for the purchase of grounds as provided for in this act, on a contract then made.

Sum to be paid
to county treas-
urer.
When paid to
county society.

SEC. 6. This act shall take immediate effect.

Approved March 31, 1879.

[No. 327.]

AN ACT to incorporate the village of Unionville, Tuscola county.

SECTION 1. *The People of the State of Michigan enact*, That the following lands and territory, in the townships of Akron, Columbia, and Geneva, county of Tuscola, and described as follows, to wit: the northeast fractional quarter of section one, township fourteen north of range eight east, the same being in the township of Akron; the southeast quarter of section thirty-six, township fifteen north of range eight east, the same being in the township of Geneva; and all that part off of the southwest corner of section six, in township fourteen north, range nine east, described as commencing at the southwest corner of said section, thence running east one hundred and forty rods on the section line; thence north sixty-six rods, be the same more or less, to the north line of H. C. Marvin's land; thence west nineteen rods to the southwest corner of William Bradey's land, be the same more or less; thence north one hundred and five rods, more or less, to the northeast corner of land owned by John Gall; thence west one hundred and twenty-one rods to the township line; thence south on said line one hundred seventy-one and five-eighths rods to the southwest corner of section six, the place of beginning; also the northwest fractional quarter of section seven and west one-half of northeast quarter of section seven, in township fourteen north, range nine east, and a strip of land joining the last description named on the south, described as commencing at the quarter-stake on the west side of section seven, above referred to; thence running east on the quarter line one hundred and twenty-eight rods, be the same more or less, to the southeast corner of the west half of the northeast quarter of section seven; thence south twenty rods; thence west one hundred and twenty-eight rods, be the same more or less, to the township line; thence north twenty rods to the place of beginning, the same being in the township of Columbia, be and the same is hereby constituted a village corporate, by the name of the village of Unionville.

Territory
incorporated.

Name.

SEC. 2. The first election for officers of said village shall be held on the fourth Tuesday in April, in the year one thousand eight

First election.

Notice.	hundred and seventy-nine, at Keller's Hall, in said village, notice of which shall be posted in three public places in said village by the board of registration hereinafter appointed, at least ten days previous thereto.
Board of registration.	SEC. 3. Charles F. Sees, Horace C. Marvin, and George E. Merry are hereby constituted a board of registration, for the purpose of registering votes for the first election to be held in said village, and the said board of registration are hereby required to meet on the Saturday preceding the fourth Tuesday of April, one thousand eight hundred and seventy-nine, at the hour of nine o'clock in the forenoon and remain in session until five o'clock in the afternoon and register all persons presenting themselves for registration and having the qualifications of voters at annual township meetings, and shall meet at the Merry House, in said village, for the purpose of registering said voters as aforesaid, due notice of which registration shall be given by said board in the same manner and time as provided in the preceding section for giving notice of the first election in said village.
Meeting of board.	
Notice of meeting.	
Incorporated under law of 1875.	SEC. 4. The said village of Unionville shall, in all things not herein otherwise provided, be governed by and its powers and duties defined by "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and the acts amendatory thereto.
In case election is not held as designated.	SEC. 5. In case the said officers are not elected at the time designated in section two of this act, an election for officers may be had at any time within one year from the time designated in said section two of this act, on notice being given as provided by section two of this act.
	SEC. 6. This act shall take immediate effect. Approved April 1, 1879.

[No. 328.]

AN ACT to incorporate the village of Blanchard, in the county of Isabella.

Territory incorporated.	SECTION 1. <i>The People of the State of Michigan enact, That the following described territory, to wit: section eighteen in town number thirteen north of range number six west, in the county of Isabella and State of Michigan, be and the same is hereby constituted a village corporate, to be known as the village of Blanchard.</i>
Name.	
First election.	SEC. 2. The first election of officers of said village of Blanchard shall be held on the second Tuesday of April, in the year of our Lord one thousand eight hundred and seventy-nine, at the office of P. G. Blanchard & Sons, in said village, notice of which shall be posted in three of the most public places in said village, at least ten days before the time of said election, which notice may be signed by any five freeholders in said village.
Notice.	
Board of registration.	SEC. 3. Herbert Blanchard, Fred W. Coburn and Martin V. Shannon are hereby constituted a board of registration, for the

purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet at the office of P. G. Blanchard & Sons, in said village, on the Saturday previous to the second Tuesday in April, eighteen hundred and seventy-nine, aforesaid, and register all persons presenting themselves for registration, and having the qualifications of voters at annual town meetings; notice of which meeting shall be posted in four of the most public places in said village, at least ten days before said meeting, and shall be signed by said board of registration.

Meeting of board.

Notice of meeting.

SEC. 4. The said village of Blanchard shall in all things, not herein otherwise provided, be governed by, and its powers and duties defined by an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five.

Incorporated under law of 1875.

SEC. 5. In case the said officers are not elected at the time designated in section two of this act, an election for officers may be held at any time within one year from the time designated in said section two, on notice being given as provided in said section two of this act.

In case election not held as designated.

SEC. 6. This act shall take immediate effect.

Approved April 1, 1879.

[No. 329.]

AN ACT to incorporate the village of New Boston, in the county of Wayne, in the State of Michigan.

SECTION 1. *The People of the State of Michigan enact*, That the following described lands and territory of Huron, county of Wayne, and state of Michigan, described as follows, viz.: Commencing at the bridge of the Flint and Pere Marquette railway across the Huron river; thence north on the west line of said railroad to the quarter line of section five in said town of Huron; thence west on said quarter line of said section five and section six to the bank of the Huron river; thence down the bank of the said river Huron to the place of beginning, be and the same is hereby constituted a village corporate by the name of the "Village of New Boston."

Territory incorporated.

Name.

SEC. 2. The first election of officers of said village shall be held on the fourth Tuesday in April in the year one thousand eight hundred and seventy-nine at the Thayer House in said village; notice of which election shall be posted in three public places in said village by the board of registration hereinafter appointed, at least ten days previous to said election.

First election.

Notice.

SEC. 3. William S. Hosmer and Caleb C. Rumsey are hereby constituted a board of registration for the purpose of registering the names of voters for the first election to be held in said village, and the said board of registration are hereby required to meet on

Board of registration.

Meeting of board.	the Saturday preceding the fourth Tuesday in April, one thousand eight hundred and seventy-nine, at nine o'clock in the forenoon and remain in session until five o'clock in the afternoon, and register the names of all persons presenting themselves for registration having the qualifications of voters at annual township meetings; and said board shall meet at the Thayer House for the purpose of registering said voters, due notice of which meeting shall be given by said board in the same manner and for the same time as is provided for giving notice of election in section two of this act.
Notice of meeting.	
Incorporated under law of 1876.	SEC. 4. The said village of New Boston shall in all things not herein otherwise provided for, be governed by, and its powers and duties defined by act number sixty-two of the session laws of eighteen hundred and seventy-five, granting and defining the powers and duties of incorporated villages, approved April first, eighteen hundred and seventy-five, and acts amendatory thereto.
In case election not held as designated.	SEC. 5. In case said officers are not elected at the time and in the manner designated in section two of this act, an election for officers may be holden at any time within one year from the time designated in said section two of this act.
	SEC. 6. This act shall take immediate effect.
	Approved April 1, 1879.

[No. 330.]

AN ACT to enable the city of East Saginaw to provide for the payment of bonded indebtedness of said city falling due during the year A. D. eighteen hundred and seventy-nine, by the issue and sale of bonds of said city.

Council authorized to borrow money.	SECTION 1. <i>The People of the State of Michigan enact, That</i> the common council of the city of East Saginaw, Michigan, are hereby authorized to borrow on the faith of the said city for a term not exceeding twenty years, at a rate of interest not exceeding seven per cent per annum, payable semi-annually and for that purpose
May issue bonds.	may issue bonds of the city signed by the mayor and clerk, and countersigned by the controller, and in such forms and sums not exceeding in the aggregate, the sum of fifteen thousand dollars, as the common council shall direct, and such bonds shall be disposed
How bonds disposed of.	of under the direction of the common council of said city upon such terms as they shall deem advisable, but not less than their par value, and the avails thereof shall be applied solely to pay bonded
Avails, how applied.	indebtedness of said city falling due during the year A. D. one thousand eight hundred and seventy-nine; said sum hereby authorized being in addition to the sum of twenty-five thousand dollars now authorized by the terms of the charter of said city for a like purpose.
	SEC. 2. This act shall take immediate effect.
	Approved April 1, 1879.

[No. 331.]

AN ACT to reincorporate the village of Midland City.

SECTION 1. *The People of the State of Michigan enact*, That all the following tract of country and territory situated in the county of Midland and state of Michigan, being in township number fourteen north of range two east, be and the same is hereby reincorporated as the village of Midland City, being particularly described as follows, to-wit: Beginning at the quarter post on the west line of school section sixteen, thence running westerly on quarter line of section seventeen to the east bank of the Tittabawassee river, then down said river as it tends to the quarter line, then southerly on said quarter line to the centre quarter post of section twenty, thence easterly on quarter line one mile and a half to the quarter post in the west line of section twenty-two, then northerly on section line one mile to the quarter post in the west line of section fifteen, thence westerly on quarter line of school section sixteen one mile to place of beginning, all in town fourteen north of range two east. Territory
Incorporated.

SEC. 2. All the by-laws and ordinances of said village are continued in force until the same be changed in accordance with law. By-laws to con-
tinue in force.

SEC. 3. The present officers of said village shall continue in office until their successors shall be elected and qualified in accordance with the provisions of this act and the general law relating thereto. Officers to con-
tinue in office.

SEC. 4. The time and place of holding the first election under this act shall be fixed by the present board of trustees of said village, but said time shall not be more than sixty days after this act shall take effect, as provided by law, and all the provisions of law relating to the village elections shall be applicable to such election, except as herein otherwise provided. Time for hold-
ing first election.

SEC. 5. The village of Midland City is hereby made subject to the provisions of an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and the said village hereby reincorporated shall possess all the rights and powers, and be subject to all the duties and liabilities prescribed in said last named act. Incorporated
under law of
1875.

SEC. 6. The bridges that are now and may be hereafter built across the Tittabawassee and Chippewa rivers, within the limits of said Midland City shall remain under the care of the highway commissioner of the township of Midland, and shall be cared for, maintained and kept in repair by said commissioner, the same as though said village had not been incorporated. Bridges.

SEC. 7. The village of Midland City, as reincorporated, shall possess all the property and rights and be subject to all the liabilities and obligations of the village as hereinbefore incorporated. Village to
possess, all prop-
erty etc., of
former corpora-
tion.

SEC. 8. This act shall take immediate effect.

Approved April 1, 1879.

[No. 332.]

AN ACT to detach certain territory from the present township of Livingston in the county of Otsego and organize the same into a separate township to be known as the township of Dover.

Territory
organized.

SECTION 1. *The People of the State of Michigan enact, That* township thirty-one north of range one west, and township thirty-one north of range two west, now forming a part of the township of Livingston in the county of Otsego, be and the same is hereby set off from the said township of Livingston, and organized into a separate township, to be known as the township of Dover.

Name of town-
ship.

First annual
meeting.

SEC. 2. 'The first annual meeting in said township of Dover shall be held on the first Monday in April next, at the school-house in school district number eight of the present township of Livingston, and situated in township thirty-one north, of range two west; and David Brown, Moses Foster and Christopher G. Binkie, are hereby made and constituted a board of inspectors of said township election.

Board of inspect-
ors.

In case meeting
is not held as
provided for.

SEC. 3. If for any reason the township meeting provided for in the last preceding section shall not be held at the time designated for holding the same, it shall and may be lawful to hold the same at any time within one year thereafter by giving at least fifteen days' notice of the time and place of holding such meeting, by posting notices thereof in four public places in said township, which notice may be given by said board of inspectors or a majority of them.

Notice.

If inspectors do
not attend elect-
ors may appoint.

SEC. 4. If for any cause the inspectors hereby appointed, or either of them, shall neglect or be unable to attend said board at the time specified, it shall be lawful for the electors of said township, who shall be present at the time designated for opening the polls of said election, to choose from the electors present, suitable persons to act as inspectors of said election in place of such inspector or [inspections] inspectors, as the case may be, who shall neglect or be unable to attend said board.

SEC. 5. This act shall take immediate effect.

Approved April 1, 1879.

[No. 333.]

AN ACT to legalize and make valid the township bonds of Denton township, Roscommon county.

Action of town-
ship board
legalized.

SECTION 1. *The People of the State of Michigan enact, That* the action of the township board of Denton township, Roscommon county, Michigan, in issuing township bonds for highway purposes during the years A. D. eighteen hundred and seventy-seven and eighteen hundred and seventy-eight, which said bonds having been issued in conformity with and by virtue of a majority vote of the electors of the township of Denton, given at a special township meeting held on the tenth day of November, in the year of our

Lord eighteen hundred and seventy-seven, and in accordance with the provisions of sections twelve hundred and seventy-nine, twelve hundred and eighty, and twelve hundred and eighty-one, chapter twenty-six of the compiled laws of Michigan, is hereby ratified, confirmed and legalized with like force and effect as if said board had at the time of said issue of said bonds due and full authority in that behalf.

SEC. 2. This act shall take immediate effect.

Approved April 2, 1879.

[No. 334.]

AN ACT to repeal an act entitled "An act to incorporate the village of Michigamme," approved April twenty-seven, eighteen hundred and seventy-five.

SECTION 1. *The People of the State of Michigan enact*, That an act entitled "An act to incorporate the village of Michigamme," approved April twenty-seven, eighteen hundred and seventy-five, be and the same is hereby repealed. Upon this act taking effect, the recorder and all other officers of said village, except the treasurer, shall deliver all books, papers, and other property in their possession belonging to said village, to the township clerk of Michigamme township, and the treasurer of said village shall pay over all moneys in his hands belonging to said village to the treasurer of said township, and shall also deliver to said township treasurer any and all tax rolls and evidences of debt, vouchers and other property in his hands belonging to said village; and said township treasurer is hereby authorized to collect all taxes that may be due or delinquent from any person or persons to said village, in the same manner that the treasurer of said village could if this act was not passed, and shall have the same power for such purposes as said village treasurer had under said act hereby repealed.

Act repealed.

Books, papers, etc., to be delivered to township clerk.

Moneys to be paid to township treasurer.

Township treasurer to collect.

SEC. 2. All property, real and personal, belonging to said village of Michigamme, of whatsoever name or nature, shall, upon this act taking effect, vest in and belong to the township of Michigamme, and said township shall pay the legal indebtedness of said village at the time this act takes effect, and for the purpose of preserving the chain of title, the president and recorder of said village shall within sixty days after this act takes effect, execute a conveyance of the real estate owned by said village, to the township of Michigamme, which conveyance shall be acknowledged and recorded.

Property, etc., to vest in Michigamme township.

SEC. 3. The repeal of said act shall not affect any rights acquired thereunder.

Repeal not to affect rights acquired.

SEC. 4. This act shall take immediate effect.

Approved April 2, 1879.

[No. 335.]

AN ACT to restrict the powers of the commissioners of highways of the township of Michigamme, in the county of Marquette, and to authorize the township board of said township to provide for maintaining the streets, sidewalks, crosswalks and alleys now built in the village of Michigamme, and to maintain a fire department, and to regulate and license auctioneers and peddlers, in said village.

Contracts for building roads, etc., must be approved by township board.

SECTION 1. *The People of the State of Michigan enact, That* no contract for the building or repairing of any road, highway or bridge in the township of Michigamme, shall be valid or of any force or effect until approved by the township board of said township, and no money shall be paid out of the highway fund of said township, except on orders authorized by said township board, which orders shall be signed by the township clerk, and countersigned by the supervisor of said township.

Township board to have control of highways, etc.

SEC. 2. Said township board shall have sole and exclusive control of all the highways, streets, alleys, sidewalks, and crosswalks within the limits of the village of Michigamme, and for that purpose shall have all the powers now or hereafter conferred on highway commissioners by the general laws of this State.

Sidewalks, how maintained.

SEC. 3. The expense of maintaining the sidewalks now built in said village shall be borne by the owners of adjoining real estate, and the township board is vested with full power to keep such sidewalks in repair, to collect the cost thereof from the owners of the real estate adjoining, and to provide suitable penalties by by-law to be imposed upon any person for neglecting to keep the sidewalk in front of his premises in good repair, after having been notified by the township board, not to exceed ten dollars for each offense, which penalty may be sued for in the name of the township before any justice of the peace of Marquette or Baraga counties.

Powers of township board.

SEC. 4. The township board shall have power by by-law to regulate and license hawkers and peddlers of goods, wares, and merchandise, also to regulate, restrain, and license auctioneers, within the limits of said village, the proceeds of all licenses to be paid into the township contingent fund. Said township board is also authorized to maintain a fire department in said village, and to that end to employ and appoint firemen, to make and establish rules and regulations for the government of the department, the employés and firemen, and for the care and management of the engines, apparatus and property pertaining to the department. The expense of maintaining such fire department to be paid out of the liquor tax annually collected in said village, or if said liquor tax is insufficient or ceases to be collected, then out of that portion of the township contingent fund collected in said village.

SEC. 5. This act shall take immediate effect.

Approved April 2, 1879.

[No. 336.]

AN ACT to incorporate the village of Charlevoix.

SECTION 1. *The People of the State of Michigan enact*, That ^{Territory incor-} all those tracts of land situated in the township of Charlevoix, in the county of Charlevoix and state of Michigan, which are known and described as follows, to wit: lots numbered one, two, three, and four, and the north half of the southwest quarter of section twenty-six, and lot numbered one and the northeast fraction and the north half of the southeast quarter of section twenty-seven, all in township thirty-four north, of range eight west, be and the same are hereby constituted a village corporate by the name of the ^{Name.} village of Charlevoix.

SEC. 2. The first election of officers for said village shall be held on the second Monday in April, eighteen hundred and seventy-nine, at the town hall in said village, notice of which shall be posted in three public places by the board of registration hereinafter appointed, at least ten days previous thereto. ^{First election and notices.}

SEC. 3. Byron See and Robert Miller are hereby constituted a board of registration for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet on the Saturday preceding the second Monday of April, eighteen hundred and seventy-nine, aforesaid, and register all persons presenting themselves for registration and having the qualifications of voters at annual township meetings. ^{Board of registration.}

SEC. 4. The bridge now built and all that may hereafter be built across Pine river, within the territory described in section one of this act, shall be built and maintained, as heretofore, by the township of Charlevoix or the county of Charlevoix; and all moneys raised by general highway tax in the village of Charlevoix shall be expended under the direction of the highway commissioners of the township of Charlevoix, for the benefit of the highways of said township and village, in the same manner as though said village was not incorporated. ^{Bridges.}

SEC. 5. The said village of Charlevoix shall, in all things not herein otherwise provided, be governed by, and its powers and duties defined by an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and such amendments as may be made thereto. ^{Incorporated under law of 1875.}

SEC. 6. In case the said officers are not elected at the time designated in section two of this act, an election for officers may be had at any time within one year from the time designated in said section two of this act, on notice being given as provided in said section. ^{If election is not held as designated.}

SEC. 7. This act shall take immediate effect.

Approved April 3, 1879.

[No. 337.]

AN ACT to amend an act entitled "An act to incorporate the city of East Saginaw," approved February fifteenth, one thousand eight hundred and fifty-nine, as amended by act number three hundred and ninety-one of the session laws of eighteen hundred and sixty-seven, approved March twenty-second [twenty-seventh], eighteen hundred and sixty-seven, and act number two hundred and fifty-five of the session laws of eighteen hundred and seventy-three, approved April eighteenth, in the year of our Lord one thousand eight hundred and seventy-three.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That section number sixteen of title twelve of an act entitled "An act to incorporate the city of East Saginaw," approved February fifteenth, one thousand eight hundred and fifty-nine, as amended by act number three hundred and ninety-one of the session laws of eighteen hundred and sixty-seven, approved March twenty-second [twenty-seventh], eighteen hundred and sixty-seven, and act number two hundred and fifty-five of the session laws of eighteen hundred and seventy-three, approved April eighteenth, one thousand eight hundred and seventy-three, be and the same is amended so as to read as follows:

Review of assessments.

SEC. 16. At the time appointed for that purpose, and such other times as the hearing shall be adjourned to, the common council shall hear the allegations and proofs of all persons who may complain of such assessments and may rectify and amend the said assessment in whole or in part, or may set the same aside and direct a new assessment, or the said common council may ratify and confirm such assessment without any corrections or with such corrections therein as they may think proper. When any such assessment for the construction of sewers shall have been confirmed by the common council, the assessment roll shall be attested by the city clerk, under seal, and it shall be deposited with the city assessor, who shall be responsible for its safe keeping, and a copy of said roll, certified by the clerk of the city, shall be deposited with the controller and retained in his office. The assessor shall divide such assessment into nine equal parts, one of which, together with interest, for one year upon all sums remaining unassessed, shall be placed in the annual tax roll in the sewer column thereof, upon and opposite the description of property described in said sewer assessment roll in each year thereafter until the same is all assessed upon said annual tax rolls. The rate of interest upon said assessments to be computed as follows: Upon assessments for sewers constructed prior to October first, in the year of our Lord one thousand eight hundred and seventy-one, at the rate of ten per cent per annum; upon assessments for sewers constructed between October first, in the year of our Lord one thousand eight hundred and seventy-one, and January first, in the year of our Lord one thousand eight hundred and seventy-seven, at the rate of eight per cent per annum; upon assessments for sewers constructed subsequent to January first, in the year of our Lord one thousand eight hundred and seventy-seven, and prior to January first, in the

Assessment roll, how attested and deposited.

Assessment, how divided.

Rate of interest on assessment for sewers.

year of our Lord one thousand eight hundred and seventy-nine, at the rate of seven per cent per annum, and for sewers hereafter ordered and constructed at such a rate of interest, not exceeding ten per cent per annum, as the common council ordering such sewer shall, by resolution, prescribe.

SEC. 2. This act shall take immediate effect.

Approved April 3, 1879.

[No. 338.]

AN ACT to amend section five of an act entitled "An act to incorporate the village of Three Rivers," approved February thirteenth, eighteen hundred and fifty-five; also, to amend section twelve of said act, as amended by act number two hundred and five of the session laws of eighteen hundred and seventy-three, approved February twenty-eighth, eighteen hundred and seventy-three; also to add thereto seven new sections to stand as sections thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight of said act.

SECTION 1. *The People of the State of Michigan enact,* That section five of an act entitled "An act to incorporate the village of Three Rivers," approved February thirteenth, eighteen hundred and fifty-nine; and section twelve of said act, as amended by act number two hundred and five of the session laws of eighteen hundred and seventy-three, approved February twenty-eighth, eighteen hundred and seventy-three, be and the same hereby are amended so as to read as follows; also to add thereto seven new sections to stand as sections thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven and thirty-eight. Sections amended.

SEC. 5. The president shall be the chief executive officer of the village. He shall preside at the meetings of the council, and shall from time to time give the council information concerning the affairs of the corporation, and recommend such measures as he may deem expedient. It shall be his duty to exercise supervision over the affairs of the village, and over the public property belonging thereto; see that the laws relating to the village and the ordinances, by-laws and regulations of the council are enforced. He shall be a conservator of the peace, and may exercise within the village the powers conferred upon sheriffs to suppress disorder, and shall have authority to command the assistance of all able bodied citizens to aid in the enforcement of the ordinances and by-laws of the council, and to suppress riot and disorderly conduct. He shall have authority at all times to examine and inspect the books, records, and papers of any agent, employé, or officer of the corporation, and shall perform generally all such duties as are or may be prescribed by the ordinances and by-laws of the village. And it shall be the duty of the recorder to attend all the meetings of said council and keep a fair and accurate record of the proceedings. General powers and duties of president.

SEC. 12. The common council shall have the management and Duty of recorder.

General powers
of the common
council.

control of the finances, rights, interests, buildings and all property, real and personal, belonging to the said corporation, and make such ordinances, by-laws and regulations relating to the same as they shall deem proper; and they shall have power to enact, make, continue, amend and repeal such ordinances, by-laws and regulations as they may deem desirable within said village for the following purposes: For the appointment of a marshal, one or more street commissioners, one attorney, and such other officers as they may deem necessary to regulate the police thereof, to preserve the public peace, to prevent riots, disturbances and disorderly assemblages, to appoint watchman [watchmen] and policemen, to punish vagrants, mendicants, disorderly persons, and common prostitutes, to prohibit and suppress disorderly houses and houses of ill-fame, and gaming houses, to regulate, license or suppress billiard tables and all devices and instruments of gaming, to license auctioneers, and to regulate sales of goods, property and chattels at auction except sales made pursuant to some order or process issued by the courts, or by virtue of chattel mortgage, to abate nuisances and preserve the public health, to regulate or prevent peddling, pawn brokerage, or keeping any tavern, hotel or saloon, without first obtaining from the common council license therefor, to license and regulate drays, cabs, hacks and all carriages or vehicles kept or used for hire, to establish and maintain a calaboose or lock-up in said village where any person or persons found violating any of the by-laws, ordinances or regulations of the village, may be detained until they can be brought before some justice of the peace of the township of Lockport for trial, or where persons may be imprisoned against whom imprisonment may be adjudged by any court of competent jurisdiction for the violation of any of the by-laws, ordinances or regulations of said village, to organize a fire department, define their duties and prescribe penalties for violations thereof, to prevent the incumbering of sidewalks, streets, alleys, and public grounds, regulate and prohibit the placing of signs, awnings, posts and other things upon or over sidewalks, to regulate or prohibit the construction and use of openings in the sidewalks, and of all vaults, structures and excavations under the same, to prohibit immoderate driving on the streets, to regulate the storage of gun powder and all combustible, or explosive materials, to prevent the use of fire-crackers, fireworks, fire-arms, sling-shots, and carrying of deadly weapons within the limits of said village and the making of fires in the streets or other open spaces in said village; to construct and regulate markets, the vending of poultry, meats, fish, vegetables, fruits, hay, wood, lime, lumber and coal; to regulate the sealing of weights and measures, to maintain and regulate pounds and provide for the restraint of horses and cattle, dogs, sheep, swine, mules and other animals, to construct hydraulic works, to supply the village with water, to prevent bathing in the public streams, to regulate cemeteries and the burial of the dead and the return of the bills of mortality, to light the streets, to ascertain, establish and settle the boundaries of all streets and alleys, and to regulate

the building of partition fences; to establish the lines on the side ^{Idem.} of any street upon which buildings may be erected, to provide that on certain streets or parts of streets no buildings shall be hereafter erected unless they shall be constructed of the kind of material prescribed; to purchase and keep in order fire engines and other fire apparatus, and construct or purchase buildings to store them in; to cause each building occupied as a house, shop or store to be supplied with fire-buckets and ladders; to regulate the powers, duties and fees of village officers; to guard against fires; to prescribe the setting of posts and shade trees, and preserve the same from injury; to provide for the construction of sidewalks and repairing same; to grade the walks, streets and alleys, and to prescribe the manner of working, planking, curbing or paving them, and shall cause the expense of repairing, planking, curbing, or paving the said walks, streets and alleys to be assessed on the lots or premises abutting upon such street, sidewalk or alley, on which either or all such improvements shall be made by special assessment or otherwise as they may direct, but no one of said improvements, except repairs, shall be made unless the individuals owning one-half of the property to be assessed for the same, or unless fifty freeholders residing in said village shall petition the common council for that purpose; to vacate streets and alleys; to keep in repair the public highways, streets, side-walks, and culverts; to construct and repair public sewers; to restrain the running of locomotives and cars at an immoderate rate of speed within the limits of the village; to prevent cars from standing in the public streets of the village; to regulate and license theaters, circuses, shows, and concerts, and for the violation of any by-laws, ordinances, rules, and regulations, such reasonable penalties, fines, and imprisonment may be imposed by the law itself as the common council may deem proper, but no penalty or fine shall exceed one hundred dollars nor imprisonment exceed three months, and if imprisonment be adjudged in any case it may be in the calaboose or lock-up in said village, or in the county jail of the county of St. Joseph, in the discretion of the court, and to enact all such ordinances and by-laws and all such regulations not in violation of the constitution and general laws of the State, as may be necessary for the safety and good government of the village and the general welfare of its inhabitants: *Provided*, That no by-law or ordinance of said village shall have any force or effect until the same shall have been published once in each week for three successive weeks in a newspaper published in said village: *And provided also*, That ^{Proviso.} the bridges within the limits of said village over the streams crossing the public highways leading to or passing through the said village shall be and remain under the care and custody of the commissioner of highways of the township of Lockport, and shall be erected and kept up at the expense of said township at large. All other bridges to be rebuilt, repaired and kept in repair by said village. ^{Proviso as to bridges.}

SEC. 32. In the absence or disability of the president or of any vacancy in his office the president *pro tempore* of the council shall perform the duties of the president. ^{When president pro tem. to act as president.}

SEC. 33. On the second Monday in April of each year, or as soon

Appointment of
president *pro*
tempore.

thereafter as may be, the council shall appoint one of their number president *pro tempore* of the council, who, in the absence of the president, shall preside at the meetings thereof and exercise the powers and duties of president. In the absence of the president and president *pro tempore* the council shall appoint one of their number to preside.

How ordinances,
laws, etc., may
be read in courts.

SEC. 34. When it shall be necessary to print any of the laws, regulations, or ordinances of said village, or any resolution adopted by the council thereof, the same may be read in all the courts of justice and in all proceedings;

First, From a record thereof kept by the recorder;

Second, From a copy of the ordinance or by-law or of the record thereof certified by the recorder under the corporate seal of the village;

Third, From any volume of ordinances or by-laws purporting to have been written or printed by authority of the council.

Penalties, how
recovered.

SEC. 35. When a penalty or fine shall be incurred for the violation of any ordinance or by-law, and no provision shall be made for the imprisonment of the offender upon conviction therefor, such penalty or fine may be recovered in an action of debt or in assumpsit, and when a corporation shall incur a penalty or fine for the violation of any such ordinance or by-law the same shall be sued for in one of the actions aforesaid.

Village to have
use of St. Joseph
county jail.

SEC. 36. Said village shall be allowed the use of the jail of the county of St. Joseph for the confinement of all persons liable to imprisonment under the by-laws and ordinances thereof, or under any of the provisions of this act, and the sheriff or other keeper of such jail or other place of confinement or imprisonment shall receive and safely keep any person committed thereto, as aforesaid, until lawfully discharged. In all cases of imprisonment for breaches of penal laws of this State, such receiving and keeping in such jail shall be at the expense of the county of St. Joseph. In all other cases it shall be at the expense of said village.

Expenses of
imprisonment.

What necessary
to set forth in
suit for violation
of ordinances,
etc.

SEC. 37. It shall not be necessary in any suit, proceeding, or prosecution for the violation of any ordinance or by-law, to state or set forth such ordinance or by-law, or any of the provisions thereof, in any complaint, warrant, process, or pleading therein, but the same shall be deemed sufficiently set forth or stated by reciting its title and the date of its passage or approval, or by its number and it shall be a sufficient statement of the cause of action, in any such complaint or warrant, to set forth substantially and with reasonable certainty as to time and place, the act or offense complained of and to allege the same to be in violation of an ordinance or by-law of the village, referring thereto by its title and the date of its passage or approval, or by its number.

Appeal to circuit
court.

SEC. 38. Any person convicted of a violation of any ordinance or by-law of the village may appeal to the circuit court for the county of St. Joseph, which appeal shall be taken within the same time and in the same manner as is provided by law for appeals from judgments rendered by justices of the peace.

SEC. 2. This act shall take immediate effect.

Approved April 3, 1879.

[No. 339.]

AN ACT to revise and amend the charter of the city of Battle Creek.

SECTION 1. *The People of the State of Michigan enact*, That Act amended. an act entitled “An act to incorporate the city of Battle Creek,” approved February third, eighteen hundred and fifty-nine, as amended by the several acts amendatory thereof, be revised and amended so as to read as follows:

SEC. 2. Sections one and twelve in the township of Battle Creek, Territory incor- and sections six and seven in the township of Emmet, in the county of Calhoun, be and the same are hereby set off from the township of Battle Creek and Emmet, respectively, and declared to be a city by the name of the “City of Battle Creek,” by which name it Name. shall hereafter be known.

SEC. 3. The inhabitants of said city, from time to time, shall be and continue a body corporate and politic, to be known and distinguished by the name and title of the “City of Battle Creek,” and by that name shall be and are hereby made capable of suing and being sued, of pleading and being impleaded, of answering and being answered unto, and of defending and being defended in all courts of law and equity, and in all other places whatever; and may have a common seal, which they may alter and change at pleasure, and by the same name shall be and are hereby made capable of purchasing, holding, receiving, conveying, managing and disposing of any real and personal estate for said city. Corporate name and powers.

SEC. 4. Said city shall be divided into five wards, as follows, to First ward. wit: The first ward shall embrace all that portion of the city described as follows: Beginning at the intersection of Main and Jefferson streets, thence southeasterly along Main street to its intersection with the section line between section seven, town two south, range seven west, and section twelve, town two south, range eight west, thence south along said section line to the southeast corner of said section twelve, town two south, range eight west, thence west on the south line of said section twelve to the southwest corner of section twelve, thence north on the west line of said section twelve, to the centre of Race street, as laid down on Meachem’s Addition to Battle Creek, thence southeasterly along the centre of Race street to the intersection of Race and Jefferson streets, thence northeasterly along the center of Jefferson street to its interection with Main street, at the place of beginning. The second ward shall Second ward. embrace all that portion of the city described as follows: Beginning at the intersection of Jefferson and West Canal streets, thence southwesterly along the center of Jefferson street to the intersection of Jefferson and Race streets, thence northwesterly along the center of Race street to the west line of said section twelve, thence northerly along the west line of said section twelve, and the west line of section one, in township two south of range eight west, to the intersection of Main street with said last named section line, thence southeasterly along the centre of Main street to the intersection of said Main and West Canal streets, thence up and along

Third ward.	the centre of West Canal street to the place of beginning. The third ward shall embrace all that portion of the city described as follows: Beginning at the intersection of the Battle Creek stream and the west line of said section seven, thence down and along the centre of the Battle Creek to its intersection with Jefferson street, thence southwesterly along the center of Jefferson street to the intersection of Jefferson and West Canal streets, thence northwesterly along the center of West Canal street to its intersection with Main street, thence northwesterly along the center of Main street to its intersection with the west line of section one aforesaid, thence north along the west line of said section one to the northwest corner thereof, thence east along the north line of said section one to the northeast corner thereof, thence south along the east line of said township two south of range eight west, to the place of beginning.
Fourth ward.	The fourth ward shall embrace all that portion of the city described as follows: All of those parts of said sections six and seven, in township two south of range seven west, lying north of the Battle Creek stream.
Fifth ward.	The fifth ward shall embrace all that portion of the city described as follows: Beginning at the intersection of Main and Jefferson streets, thence southeasterly along Main street to its intersection with the section line between section seven, town two south, range seven west, and section twelve, town two south, range eight west, thence south along said section line to the southwest corner of said section seven, thence east on the south line of said section seven to the southeast corner of said section seven, thence north on the east line of said sections seven and six until it intersects the center line of the Battle Creek, thence down and along the center line of the Battle Creek to its intersection with Jefferson street, thence southwesterly along the center of Jefferson street to its intersection with Main street, the place of beginning: <i>Provided</i> , That whenever a street or watercourse is mentioned in this act as a boundary or division line, the centre of said street or watercourse shall be deemed to be the said line or boundary, unless otherwise designated or described.
Proviso.	The persons holding the offices of alderman [aldermen] and constable in the ward which is hereby divided, shall continue to hold such offices for the wards hereby created in which they respectively reside, during the remainder of the time for which they were respectively elected or appointed; and the common council shall forthwith appoint other persons to fill the vacancies in the offices of alderman [aldermen] and constable created by this act, in said first and fifth wards, but such appointments shall not extend beyond the next annual election of said city, and until their successors shall be respectively elected and qualified.
Aldermen and constables to continue in office.	There shall be a general re-registration of the electors of said city in the year eighteen hundred and seventy-nine, on the Friday and Saturday next preceeding the charter election of that year, and on such day of election, and in accordance with the same provisions of law as for a first registration. All meetings of the board [boards] of registration of the several wards for the purpose of registration shall be held hereafter in the rooms of the common council of said city.
Vacancies.	
Re-registration.	

SEC. 5. The following officers shall be elected from among the electors of said city, to wit: One mayor, one recorder, who shall be *ex officio* city clerk; one supervisor, one treasurer, and four justices of the peace, who shall be elected in the following manner, to wit: The mayor, recorder, supervisor and treasurer shall be elected annually, and shall hold their offices for one year, and until their successors shall be elected and qualified. There shall also be elected annually, one justice of the peace, who shall hold his office for four years, and until his successor shall be elected and qualified.

Officers elected.

Terms of office.

Justice of the peace.

SEC. 6. There shall be elected at the same time in the several wards, from among the electors thereof, respectively, one alderman and one constable; the said alderman to hold his office for two years, and the said constable for one year, and until their successors shall be elected and qualified: *Provided*, That the aldermen and constables now holding office in said wards shall continue to hold such offices until the terms for which they were respectively elected shall expire; and, also, that at the first election under this act two aldermen shall be elected in the fifth ward, one for the term of one year, and one for the full term of two years, and until their successors shall be elected and qualified; and that the term for which said aldermen are respectively elected at said first election shall be designated on the ballots.

Election of ward officers.

Terms of office.

Proviso.

SEC. 7. The annual election under this act shall be held on the first Monday in April, in each year, at such place in each of the several wards as the common council shall designate, and as near the centre of the city as convenient, notice of which shall be given by the recorder at least ten days before the day of [the] election, by posting printed notices thereof in three public places in each ward; the alderman of each ward and an elector residing therein, who shall be appointed by the common council at the regular meeting thereof next preceding said election, shall be the inspectors of such election, and also of all elections to be held in said city during that year. Said inspectors shall, before opening the polls at any election, appoint one of their own number chairman of such board of inspectors; they shall also appoint some person, who shall be an elector of said ward, to act as clerk of said election: *Provided*, That at the general and judicial elections they shall appoint two such clerks. In case of the absence of one or more of such inspectors, the electors present may choose, *viva voce*, from their number, one or more, as the case may be, to fill such vacancy or vacancies, to whom, and to such clerk or clerks, and to the inspector so appointed by the common council, shall be administered the constitutional oath, by either of said alderman [aldermen] or by any justice of the peace of said city. The manner of conducting all elections and canvassing the votes and the qualifications of the electors in the several wards shall be the same as in townships, the word "ward" instead of "township" being used in the oath to be administered to an elector, in case his vote shall be challenged, and also in the making of all certificates or statements of and concerning such elections: *Provided*, That at such charter election the said ward inspectors shall make one certificate of the number of votes given for

Annual election, when held.

Notice.

Inspectors of election.

Proviso.

Manner of conducting elections

Proviso.

each person for the several offices to be filed [filled] in said city, and also one certificate of the number of votes given for each person for the several offices to be filled in the several wards of said city, which certificates shall be within twenty-four hours, filed in the office of the recorder of said city; and at ten o'clock in the forenoon of the Thursday next following the day of such election, the common council shall meet at their usual place of meeting, and thereupon determine who, by the greatest number of votes given in the several wards, or by lot, as hereinafter provided, and [are] duly elected or chosen to fill the respective city and ward officers [offices]; and it shall be the duty of said recorder, immediately after such determination, to cause notice to be given to each of the persons elected of their election; and each of said officers so elected and notified shall, within five days thereafter, take and subscribe the constitutional oath of office, before any person authorized to administer oaths, and shall deliver the same to the recorder, who shall file the same in his office: *Provided*, That in case of the election of one or more justices of the peace, and of the election and qualification of one or more constables, said recorder shall make a certificate thereof, and cause it to be delivered to the clerk of the county of Calhoun, in the same manner as is required of township clerks: *Provided, also*, That all justices of the peace and constables elected under this act shall, within five days after receiving notice of their election, qualify by filing their constitutional oath and giving security, in the same manner as required by law of justices of the peace and constables of townships; and in case two or more persons shall receive for the same city office an equal number and a plurality of the votes given at such election, the common council shall, at its meeting on the Thursday succeeding such election, proceed to determine by lot between the persons so receiving the highest number of votes, which shall be considered elected to such city office; and in case two or more persons shall receive for the same ward office an equal number and a plurality of the votes given at such election, said board of ward inspectors shall, immediately after such election, proceed to determine by lot between the persons so receiving the highest number of votes, which shall be considered elected to such office, and enter the same upon the certificate to be by them filed in the office of the recorder, as in this section provided; and in case any of the officers so elected or chosen and notified shall neglect, for the term of five days, to qualify as aforesaid, or to give such security as the provisions of this act or the by-laws or ordinances of the common council of said city shall require, such officer or officers shall be deemed to have declined.

SEC. 8. The mayor shall have power, and it shall be his duty, on the third Monday of April in each year, or as soon as may be thereafter, subject to the approval of a majority of the aldermen elect, to appoint a city attorney, marshal, assistant marshal, who shall be *ex officio* deputy street commissioner, and such other officers whose election or appointment is not herein especially provided for, as said common council may deem necessary to carry into effect the powers granted by this act, and with the consent of

Council to determine who elected.

Recorder to notify persons elected.

Oath of office.

Proviso.

Qualification of constable and justices of the peace.

Tie vote.

Neglect to qualify.

Appointment of attorney, marshal, etc.

a majority of the aldermen elect, he shall have power to remove the same at pleasure. The common council shall also have power to remove the treasurer, or any constable of said city, for any violation of the provisions of this act, or of any amendment thereof, or of any by-law or ordinance, or for neglecting or refusing to perform the lawful requirements of said common council, in a manner to be provided by the by-laws or ordinances of said city; and in case of such removal, or in case of the death, resignation or neglect to qualify, or removal from the city, or from the ward in and for which he was elected, of any officer of the corporation or ward, except justices of the peace, the common council shall, as soon as may be, appoint an officer to fill such vacancy for the unexpired portion of his term of office: *Provided*, Such appointment shall not extend beyond the next annual election of said city, and until his successor shall be duly elected and qualified. All officers so appointed shall be notified and qualified as herein provided: *Provided further*, That the common council may at any time order a special election to fill vacancies in any office which is elective under this act, and they shall designate the time and place of holding the same, and the same notice shall be given as for an annual election, stating the office or offices to be filled; and any person so elected shall hold and serve for the remainder of the term of said office.

Common council may remove treasurer or constable and fill vacancies.

Proviso.

Further proviso.

SEC. 9. In case of the absence of the mayor from the city, or of his inability to act, or of a vacancy occurring in said office, the recorder shall be and he is hereby authorized to do and perform all the duties and trusts appertaining to the said office of mayor, except to preside at meetings of the common council, until the said mayor shall resume his duties, or another be elected and qualified.

When recorder may perform duties of mayor.

SEC. 10. The mayor, recorder, and aldermen, when assembled together and duly organized, shall constitute the common council of the city of Battle Creek, and a majority of the aldermen shall be necessary to constitute a quorum for the transaction of business, though a less number may adjourn the council from time to time; the said common council shall meet at such times as they shall determine, and at such other times as the mayor, or in case of his absence from the city, or of his inability to act, or of a vacancy in his said office, the recorder may appoint; whenever a special meeting shall be called, the object and purpose of said meeting shall be stated in such call. The common council shall have power to impose, levy, and collect such fines as they may deem proper, by by-law or ordinance, for the non-attendance of the members and officers thereof, at any meeting, and also to require the attendance at any meeting, of any of the officers of said city, and in like manner; to impose, levy, and collect such fines as they may deem proper, for non-attendance. It shall be the duty of the mayor to preside at all meetings of the common council, and in case of a tie, to give the casting vote, but he shall not have a vote in any other case. And it shall also be the duty of the recorder to attend all such meetings, and keep a fair and accurate report of

Who to constitute the common council.

Time and place of meeting.

Special meetings.

Powers of council.

their proceedings, which shall be published in one or more papers published in said city. The recorder shall not be entitled to vote in the common council. In case the mayor shall be absent or unable to act, the alderman may appoint one of their own number to preside at such meeting; and in case of the absence of the recorder, they may appoint one of their own number recorder *pro tempore*.

Security to be
given by record-
er, treasurer and
marshal.

SEC. 11. The recorder, treasurer, and marshal shall, respectively, before they enter upon the discharge of the duties of their respective offices, give such security for the faithful performance thereof, and trusts reposed in them, as shall be prescribed by the ordinances of said city.

General powers
of common coun-
cil.

SEC. 12. The common council, in addition to the powers and duties specially conferred upon them in this act, shall have the management and control of the finances, rights, and interests, buildings, and all property real and personal, belonging to the city, and may make such ordinances and by-laws relating to the same as they shall deem necessary and proper; and, further, they shall have power to enact, make, continue, establish, modify, amend, and repeal such ordinances, by-laws, and regulations as they deem desirable within said city, for the following purposes:

First, To prevent vice and immorality, to preserve the public peace and good order, to regulate the police of the city, to prohibit, prevent, and quell riots, disturbances, disorderly noises, or assemblages in the streets, or elsewhere in said city;

Second, To prohibit, prevent, and restrain disorderly and gaming houses, to destroy all instruments and devices used for gaming, and to prohibit all gaming and fraudulent devices, and regulate or restrain billiard tables and bowling alleys;

Third, To prohibit, restrain, or prevent persons from gaming for money or other valuable thing, with cards, dice, billiards, nine or ten pin alleys, tables, ball alleys, wheels of fortune, boxes, machines, or other instruments or devices whatsoever, in any grocery, store, shop, or in any other place in said city; to punish the persons keeping the building, place, instruments, devices, or means for such gaming, and to provide for the destruction of the same;

Fourth, To prohibit, prevent, and suppress all lotteries for drawing or disposing of money, property, or valuable thing whatsoever, and to punish all persons maintaining, directing, or managing the same, or aiding in the maintenance, direction, or management thereof;

Fifth, To forbid and prevent the vending or other disposition of liquors and intoxicating drinks, in violation of the laws of this state, and to forbid the selling or giving to be drunk, any intoxicating liquors to any minor or drunkard; and to prohibit, restrain, or regulate the sale of all goods, wares, and personal property at auction, except in cases of sales authorized by law, and to fix the fee to be paid by auctioneers;

Sixth, To prohibit, prevent, abate, or remove nuisances of every kind, and to declare what shall be considered nuisances, and to



compel the owner or occupant of any grocery, provision store, tal- Idem.
low-chandler shop, butcher's stall, soap factory, tannery, stable,
privy, hog-pen, sewer, or other offensive or unwholesome house or
place to cleanse, remove, or abate the same from time to time, as
often as they may deem necessary for the health, comfort, and
convenience of said city;

Seventh. To direct the location of all slaughter-houses, markets,
and buildings for storing gun-powder, or other combustible or
explosive substances; also to make regulations concerning the buy-
ing, carrying, selling, keeping, and using gun-powder, fire-crack-
ers, or fire-works manufactured or prepared therefrom, or other
combustible, explosive, or dangerous articles, and the exhibition of
fire-works, and the discharge of cannon or fire-arms, and the use
and kind of lights or lamps to be used in barns, stables, and all
buildings, cellars, and establishments usually regarded as extra
hazardous in respect to fire, and to regulate, restrain, or prevent
the making of bonfires in streets, lanes, alleys, yards, or public
places;

Eighth. To prevent the cumbering of streets, sidewalks, cross-
walks, lanes, alleys, bridges, or aqueducts, in any manner what-
ever, and to remove any obstruction therefrom; to regulate or pre-
vent the exhibition of signs on canvass or otherwise, in or upon any
vehicle, standing or traveling upon the streets of said city, or held
or carried by any person; to control, prescribe, or regulate the
mode of constructing and suspending awnings, and the exhibition
and suspension of signs; to control, prescribe, and regulate the
manner in which the streets, lanes, avenues, alleys, public grounds,
and spaces within said city shall be used, and to establish the
grades thereof, and to provide for the preservation of, and the
prevention of willful injury to the gutters in said streets, lanes,
avenues, and alleys; to direct and regulate the planting, and to
provide for the protection and preservation of ornamental trees
therein;

Ninth. To require any horse, horses, mules or other animals
attached to any vehicle, or standing in any of the streets, lanes,
alleys, or public grounds or places in said city, to be securely
fastened, held or watched, and to prevent and punish horse racing
and immoderate driving or riding in any street, lane or alley, and
to authorize the stopping and detaining any person who shall be
guilty of any immoderate riding or driving in any street, lane
or alley;

Tenth. To determine and designate the route and grade of any
railroad to be laid or constructed in said city, and to regulate the
use and speed of locomotives, engines, and cars upon the railroads
within said city, and to compel the railroad companies, their
officers, agents, managers and employés to station flagmen at street
crossings, and to prescribe the length of time that engines or cars
may stand on said streets or otherwise obstruct them, or to prohibit
the same, and to make such other rules and [or] regulations con-
cerning the same as to secure the safety of the citizens, or other
persons;

General powers
of common
council.

Eleventh, To restrain and punish drunkards, vagrants, mendicants and street beggars soliciting alms or subscriptions for any purpose whatever ;

Twelfth, To regulate or prohibit bathing in any public water, to provide for clearing the rivers, ponds and streams in said city, and the races and canals connected therewith, of all drift wood and noxious matter, and to prohibit and prevent the depositing therein of any filth or other matter tending to render the waters thereof impure, unwholesome and offensive, or drawing the water therefrom at such times and to such an extent as to make localities near them unhealthy, or to cause the atmosphere in their vicinity to be unwholesome or offensive ;

Thirteenth, To establish and regulate one or more pounds, and to prevent the running at large of horses, cattle, swine, and other animals, geese and poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the costs of keeping and impounding ;

Fourteenth, To prohibit and prevent the running at large of dogs, to require them to be muzzled, and to authorize their being killed when running at large in violation of any ordinance of the common council, and to prohibit any person from placing, exposing, or administering any poison to any dog or other animal not his own, and to punish such person for so doing ;

Fifteenth, To prohibit any person from bringing into or depositing in said city, any dead carcass, or other unwholesome or offensive substances, and to require the removal or destruction of the same ; and if any person shall have on his premises such substances, or any putrid meats, fish, hides, or skins of any kind, and shall neglect or refuse to authorize the removal or destruction of the same, the same may be done by some officer of said city ;

Sixteenth, To compel all persons to keep sidewalks in front of or adjoining premises owned or occupied by them clear from snow, ice, dirt, wood or obstructions ;

Seventeenth, To prevent or regulate the ringing of bells, and the crying of goods and other commodities, or other disturbing noises on the streets, lanes or alleys, or in any public place, or on or in private property adjacent thereto ;

Eighteenth, To prescribe the powers and duties of the policemen and watchmen, and to impose fines and penalties for their delinquencies, and to require them to be uniformed, and to fix their compensation ;

Nineteenth, To regulate and establish the line upon which buildings may be erected upon any street, lane or alley in said city, and to prevent such buildings being erected nearer the street than such line, and to impose a fine upon any owner or builder violating this provision, not to exceed five hundred dollars ;

Twentieth, To regulate all graveyards in the city, and the burial of the dead ;

Twenty-first, To regulate the markets, the vending of hay, wood, meats, vegetables, fruit, fish, grain and provisions of all kinds, and of other goods or property in the streets, lanes, alleys



or public places in said city, and to prescribe the places for selling *Idem.* the same ;

Twenty-second, To establish, regulate and preserve public reservoirs, wells and pumps, and to prevent the waste of water ; and, also, to construct reservoirs and wells, and to provide water and water works for the extinguishment of fires and for other purposes ;

Twenty-third, To prescribe rules to govern carmen and their carts, draymen and their drays, hackney carriages and their drivers, scavengers, porters, and chimney sweeps, and their fees and compensation, and the fees to be paid by them into the city treasury for license, to prescribe and designate the stands for carriages of all kinds which carry persons for hire, and for carts and carters, drays, and to prescribe the rates of fare and charges, and the stand or stands for wood, hay, produce and other property exposed for sale in said city ;

Twenty-fourth, To regulate the soliciting of guests for hotels or other places, and passengers and others to ride upon any railroad, boat, street-car, omnibus, or stage ;

Twenty-fifth, To regulate the lighting of the streets, alleys, and public places, and the protection and safety of the public lamps, and to employ a suitable person to superintend the same, to prescribe his duties and to fix his compensation therefor ;

Twenty-sixth, To regulate, restrain, or prevent hawking and peddling in the streets, lanes, alleys, and public places and to regulate pawn-brokers ;

Twenty-seventh, To prescribe the duties of all officers appointed by the mayor and their compensation, and the penalty or penalties for failing to perform such duties, and to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties and the time for executing the same in cases not herein or otherwise provided for by law ;

Twenty-eighth, To fill up, level, or drain any lot or premises whenever the common council shall deem it necessary to abate, prevent, or remove any nuisance, and to assess the cost and expenses thereof on said lot or premises, or on the district to be benefited thereby, in the same manner as other special assessments may be made, enforced, and collected ;

Twenty-ninth, To fix and regulate the fees of sheriffs, constables, jurors, and witnesses in any proceeding under this act or under any ordinance of the common council, in cases not herein or otherwise fixed or regulated by law ;

Thirtieth, To provide for public parks and squares, make, grade, improve, and adorn the same, and all grounds in said city belonging to or under the control of said city and to control and regulate the same, consistently with the purposes and objects thereof ;

Thirty-first, To sell or otherwise provide for disposing of all dirt, filth, manure, cleanings lying in or gathered from streets, avenues, lanes, alleys, and public spaces, and all earth to be removed therefrom, or from the public squares and grounds of said city, in grading, paving, or otherwise improving the same ;

Thirty-second, To provide for and regulate the lighting of public

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of common
council.

lamps and the erection of lamps and lamp-posts and suitable hitching-posts; to prohibit all practices, amusements, and doings in said streets, lanes, alleys, public places, parks, and grounds having a tendency to frighten teams and horses, or dangerous to life, limb, or property; to remove or cause to be removed therefrom all wells and structures that may be liable to fall so as to endanger life, limb, or property;

Thirty-third, To preserve quiet and order in the streets and other public places in said city at the arrival and departure of railroad trains, and to prescribe and regulate the manner and places in which drivers, porters, runners, solicitors, agents, and baggage collectors for hotels or public houses or places of public resort, or express companies, draymen, cabmen, cartmen, hackmen, omnibus drivers and solicitors for passengers or baggage with their drays, carts, cabs, carriages, sleighs, or other vehicles shall stand, and to prohibit or prevent them from entering or driving within any railroad depot to solicit passengers or baggage;

Thirty-fourth, To prohibit and prevent in the streets or elsewhere in said city any lewd and lascivious behavior or indecent exposure of the person, the show, sale, or exhibition for sale of indecent or obscene pictures, drawings, engravings, paintings, books or devices, or any written or printed paper or other thing containing obscene, opprobrious, scurrilous, scandalous, libelous, or defamatory matter, and all indecent or obscene exhibitions and shows of any kind;

Thirty-fifth, To establish, construct, maintain, repair, enlarge, and discontinue within the streets, avenues, lanes, alleys, and public places of said city such bridges, culverts, sewers, drains, and lateral drains and sewers as the common council may see fit, with a view to the proper drainage and sewerage of said city; to compel the owners or occupants of all occupied lots, premises, and subdivisions thereof within said city to construct private drains and sewers therefrom to connect with some public sewer or drain; said private drains and sewers shall be constructed in such manner and of such form and dimensions and under such regulations as shall be prescribed;

Thirty-six, To survey and establish the boundaries of the city and of all streets, avenues, lanes, alleys, public parks, grounds, squares, and spaces in said city; to prevent and remove all encumbrances and encroachments upon the same by buildings, fences, or in any other manner, and to number the buildings, and to assess and collect the expense of such numbering of the owner or occupant;

Thirty-seventh, To provide for the preservation of the general health of the inhabitants of said city; to make regulations to secure the same; to prevent the introduction or spreading of contagious or infectious diseases; to prevent and suppress the causes of diseases generally, and, if deemed necessary, to establish a board of health and prescribe and regulate its powers and duties;

Thirty-eighth, To prohibit, prevent and suppress the keeping of houses of ill-fame or assignation, or for the resort of common pros-

titutes, disorderly houses and disorderly groceries; to restrain, suppress and punish the keepers thereof, and of persons found therein; to punish and restrain common prostitutes, vagrants and drunken and disorderly persons; to prohibit, prevent and suppress mock auctions and every kind of fraudulent game, device or practice, and to punish all persons managing, using, practicing or attempting to manage, use or practice the same, and all persons aiding in the management, use and practice thereof;

Thirty-ninth, To prohibit, prevent and suppress the sale of every kind of unsound, nauseous or unwholesome meat, poultry, fish, vegetables or other articles of food and provisions, and to punish all persons who shall knowingly sell the same, or offer or keep the same for sale;

Fortieth, To prevent the violation of the Sabbath and the disturbance of any religious congregation, or any other public meeting assembled for any lawful purpose:

Forty-first, To secure said city and its inhabitants against injuries by fire, thieves, robbers, burglars and other persons violating the public peace;

Forty-second, To direct and regulate the construction of cellars, slips, barns, private drains, sinks and privies; to compel the owner or occupant to fill up, drain, cleanse, alter, relay or repair the same;

Forty-third, To prohibit and prevent, within certain limits or districts in said city, to be determined by the common council, the location or construction of buildings for storing gunpowder, powder factories, tanneries, distilleries, buildings for the manufacture of turpentine, camphene and dangerous or explosive substances, slaughter houses and yards, butchering shops, soap, candle, starch and glue factories, establishments for steaming or rendering lard, tallow, offal and such other substances as can be rendered into tallow, lard or oil, and all establishments where any nauseous, offensive or unwholesome business may be carried on; and such buildings, factories, shops and establishments as aforesaid, now or hereafter to be constructed in said city, together with blacksmith shops, foundries, cooper shops, steam boiler factories, carpenter shops, planing establishments, breweries and all buildings and establishments usually regarded as extra hazardous in respect to fire, shall be subject to such regulations in relation to their construction and management as the common council may make, with a view to the protection of any from injury by fire, or of the preservation of the health and safety of the inhabitants of said city, and to prevent them from becoming in any way nuisances;

Forty-fourth, To prescribe, from time to time, limits or districts within said city within which wooden buildings and structures shall not be erected, placed or enlarged, and to direct the manner of constructing and repairing buildings within such limits or districts, and the material of which the outer walls and roofs shall be constructed and repaired with respect to protection against fire; to prohibit and prevent the removal of wooden or frame buildings from any other place to any lot or place within such limits or district:

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of common
council.

Forty-fifth, To regulate or prohibit within such limits or districts the location of shops, the prosecution of any trade or business, the keeping of lumber yards and the storing of lumber, wood or other easily inflammable material in other places, when, in the opinion of the common council, the danger from fire is increased; and every building or structure which may be erected, placed or enlarged, or kept in violation of any ordinance or regulation of the common council, made for the prevention of fires, is hereby declared to be a nuisance, and may be abated or removed by direction of the common council.

Forty-sixth, To regulate the construction of division or partition fences and of partition and parapet walls, the walls of buildings and their thickness; to regulate the construction of chimneys, hearths, fire-places, fire arches, ovens, and the putting up of stoves, stove-pipes, kettles, boilers or any structure or apparatus that may be dangerous in causing or promoting fires; to prohibit and prevent the burning out of chimneys and chimney flues; to compel and regulate the cleaning thereof and to fix the fees thereof [therefor;] to compel and regulate the construction of ash-houses or depositories for ashes; to compel the owners of houses and other buildings to have scuttles in the roofs thereof, and steps or ladders leading to the same; to authorize and empower the proper officers to enter into all buildings and enclosures to discover whether the same are in a dangerous state, and to cause such as are in a dangerous state to be put in a safe condition, and to punish any person for neglecting or refusing so to do; to authorize any of the officers of the city to keep all idle or suspicious persons away from the vicinity of fires, and to compel all officers of the city and other persons to aid in the extinguishment of fires and in the preservation of property exposed to danger therefrom.

Forty-seventh, To establish, regulate, and maintain a fire department, and to provide for the prevention and extinguishment of fires; to establish, organize, regulate, and maintain all such fire-engine, hook and ladder, and hose and bucket companies as may be deemed necessary; to provide such companies with necessary and proper buildings, engines, and other implements and things necessary to prevent and extinguish fires; to appoint from among the inhabitants of said city such number of men willing to accept as may be deemed necessary and proper to be employed as firemen, not exceeding one hundred for each company; and such fire, hose, and hook and ladder companies shall each have the power to elect their own officers, and to pass by-laws for the organization and government of their respective companies; and the members of the several companies shall, in joint convention, have the power to elect a chief and assistant chief engineer, subject to the approval of the common council, and may impose and collect such fines for the non-attendance or neglect of duty of any of its members as may be established by the by-laws and regulations of each such company; and every person belonging to any of said companies may obtain from the recorder a certificate of such membership, which shall be evidence thereof; and the members of any such

company, during their continuance as such, shall be exempt from ^{Idem.} all duty in the militia in time of peace, and also from serving on any jury in any of the courts of this state, or payment of poll tax; and it shall be the duty of each of said companies to take reasonable care of the fire engines, hose-carts, hose, ladders, buckets, and other instruments and things used by said companies respectively, and in no case by wrongful act or neglect doing or permitting injury thereto; and upon any alarm or breaking out of any fire within said city, each company shall forthwith assemble at the place of said fire, with the engine or other implements of each of said companies, and be subject to the orders of the chief engineer of the fire department; and it shall be the duty of each of said companies to assemble once in each month, or as often as may be directed by the common council, for the purpose of working or examining said engines and other implements with a view to their perfect order and repair, and for practice;

Forty-eighth, To license and regulate solicitors of passengers or baggage for the benefit of any hotel, tavern, public house, boat, private house, railroad, or other place; also, draymen, carmen, truckmen, porters, runners, drivers of cabs, hackney coaches, omnibuses, carriages, sleighs, express vehicles, and vehicles of every description used and employed for hire, and to fix and regulate the amount and rates of their compensation;

Forty-ninth, To license and regulate auctioneers, hawkers, peddlers and pawnbrokers, and to regulate auctions, hawking, peddling and pawnbrokerage; to license and regulate the peddling and hawking of fruits, nuts, cakes, refreshments, jewelry, merchandise, goods and other property whatsoever, by hand, hand-cart, show-case, show-stand or otherwise, in the public streets, lanes, alleys, and public places;

Fiftieth, To prohibit and prevent, or license and regulate the public exhibition, by itinerant persons or companies, of natural or artificial curiosities, caravans, circuses, menageries, theatrical representations, concerts, musical entertainments, exhibitions of common showmen, and shows of any kind;

Fifty-first, To regulate the keeping of hotels, taverns, and other public houses, groceries, ordinaries, saloons, and victualing and other houses or places for furnishing meals, food or drink; to regulate butchers; to license, regulate or suppress hucksters; to regulate the keepers of shops, stalls, booths or stands at markets or any other place in said city for the sale of any kind of meat, fish, poultry, vegetables, food and provisions; to regulate the measuring of wood, weighing of hay and gauging articles to be measured, inspected, weighed and gauged;

Fifty-second, To provide for taking a census of the inhabitants of a [the] city whenever the common council may see fit, and to direct and regulate the same; to erect and provide for the erection of all needful buildings and offices for the use of the city or of its officers, and to control and regulate the same; to establish and build prisons, workhouses and houses of correction, for the confinement of offenders, and to control and regulate the same;

General powers
of common
council.

Fifty-third, To provide for the imprisonment and confinement in said prisons, workhouses and houses of correction, or in the common jail of Calhoun county, at hard labor or otherwise, all persons liable to be imprisoned under this act, or any ordinance of the common council, whenever convicted of a violation thereof by any court having jurisdiction of the same;

Fifty-fourth, To provide for the punishment of all offenders for violations of, or offenses against this act or any ordinance of the common council, enacted under this or any other act of the legislature, by holding to bail for good behavior, by imposing fines, penalties, forfeitures and costs, or by imprisonment in the common jail of Calhoun county, or any prison, workhouse or house of correction in said city, or the state house of correction at Ionia, in the discretion of the court or magistrate before whom a conviction may be had. If only a fine, penalty or forfeiture, with the costs, be imposed, the offender may be sentenced to be imprisoned until the payment thereof, for a term not exceeding six months. All punishments for offenses against the ordinances of the common council shall be prescribed in the ordinances creating or specifying the offense to be punished, and no penalty, fine or forfeiture shall exceed five hundred dollars, and no imprisonment shall exceed the period of six months;

Fifty-fifth, To provide for the employment of all persons confined for the non-payment of any fine, penalty, forfeiture, or costs, or for any offense under this act, or any ordinance of the common council, in the common jail of Calhoun county, or in any prison, work-house, or house of correction of said city, at work or labor, either within or without the same, or upon the streets, lanes, alleys, or public grounds of said city, or on any public work under the control of the common council; to allow any person so confined for the non-payment of any fine, penalty, forfeiture, or costs, to pay and discharge the same by such work or labor, and to fix the value and rates of such work and labor;

Fifty-sixth, To authorize the granting, issuing, and revoking of licenses in all cases where licenses may be granted and issued under this act and the ordinances of the common council; to direct the manner of issuing and registering the same, and by what officer they shall be issued and revoked, and to prescribe the amount of money to be paid therefor to the city treasurer, but no license shall be granted for more than one year;

Fifty-seventh, To provide for printing and publishing all matters required to be printed and published under this act, or by order of the common council, in such manner as the common council may prescribe;

Fifty-eighth, The common council shall have power, by the vote of two-thirds of all the aldermen elect, to purchase, hold, or sell real estate for the use of said city, for corporate purposes; and also to purchase and control land for cemetery purposes, either within or without the corporate limits of said city, and to have and exercise the same power and control over the same as though the same was within the limits of said city;

SEC. 13. Upon the breaking out of any fire in said city, the marshal shall immediately repair to the place of such fire, and aid and assist as well in extinguishing the fire as preventing any goods or property from being stolen or injured, and in protecting, removing, and securing the same; and for which purpose, and as chief of police, and the mayor, recorder, and any alderman may require the assistance of all bystanders, and in pursuance of his duties, the marshal shall in all respects, be obedient to the mayor, recorder, and aldermen, or either of them, or such of them as may be present at such fire: and in case any bystander shall willfully refuse or neglect to comply with such requirements, he shall be punished in the manner provided in the by-laws or ordinances of the common council, who are hereby authorized to pass such by-laws and ordinances in relation thereto as they may deem necessary.

Duty of marshal
at fires.

SEC. 14. The common council shall have full power and authority to provide for and to call meetings of the electors of said city, to fix and establish the grades of streets and sidewalks, and to make all such other by-laws and ordinances as they may deem necessary and proper for the safety, order, and good government of said city, and to promote the prosperity and improve the condition of the inhabitants thereof, not inconsistent with the laws and constitution of this State, and the constitution of the United States.

Council may call
meetings, fix
grade of streets,
make by-laws,
etc.

SEC. 15. Where, by the provisions of this act, the common council have authority to pass ordinances on any subject, they may prescribe fines, penalties or forfeitures not exceeding five hundred dollars (unless the imposition of a greater penalty, fine, or forfeiture be herein otherwise expressly provided) for a violation thereof; and may provide that the offender or offenders, on failure to pay the fines, penalties or forfeitures imposed, shall be imprisoned in the common jail of Calhoun county, or in any city prison, workhouse, or house of correction, or in the state house of correction at Ionia, for any term not exceeding six months, which said fines, penalties, and forfeitures may be sued for and recovered with costs in the name of the city of Battle Creek, which said suit may be commenced on making and filing a complaint on oath, by warrant, in any court of said city having jurisdiction. Any person charged with any offense under this act, or with the violation of any provision of any ordinance may, on the trial thereof, on his own request, be sworn as a witness, or in lieu thereof, at his option, may make a statement in the same manner and with like effect as in criminal trials under the general laws of this State.

Council may fix
penalties.

Defendant may
be witness.

SEC. 16. No by-law or ordinance shall be of any effect until the same shall have been published at least once in each week for two successive weeks in at least one newspaper printed and published in said city, unless otherwise directed by the vote of two-thirds of all the aldermen elect at the time of its passage.

Ordinances to be
published.

SEC. 17. All by-laws, ordinances, and proceedings of the common council may be read in evidence in all courts of justice, and in all proceedings before any officer, body, or board in which it shall be necessary to refer to the same, either,

How ordinances
to be read in
evidence.

First, From a record thereof kept by the recorder; or,

Second, From a copy thereof certified by the recorder, with the seal of the city affixed thereto; or,

Third, From any volume of by-laws and ordinances purporting to have been printed by authority of the common council, and such record, certificate, copy, or printed volume shall be *prima facie* evidence of such by-laws, ordinances, and proceedings, without other proof of the enactment thereof, publishing, or any other thing concerning the same.

Service of
process.

SEC. 18. The sheriff, under sheriff, and the general deputies of the sheriff of the county of Calhoun, the constables of the city of Battle Creek, the marshal, assistant marshal, and policemen of said city shall have and are hereby vested with power and authority to serve or execute any process of any court in any suit, action, prosecution, or proceeding for a violation of any of the by-laws or ordinances of the common council of said city, or arising under this act, except as otherwise provided in this act.

Authority of
council to pave
streets, etc.

SEC. 19. The common council shall have the power, in their discretion, to pave, gravel, macadamize or plank any street, lane, or alley, or to repair the same, to construct, re-construct, or repair sidewalks and crosswalks; to construct and keep sewers in repair; to grade streets, lanes, alleys and public places; to fill up, level, or drain places rendered unhealthy from the want thereof; to clean and keep any streets, lanes, sidewalks, and cross-walks free from dirt, snow, ice, or other obstruction, at the expense of said city, by a vote of two-thirds of all the aldermen elect voting in favor of the same, and to provide for doing the same, by by-law, resolution, or ordinance.

Idem.

SEC. 20. The common council shall have, and are hereby invested with full power and authority to pave, gravel, macadamize, or plank any street, lane, or alley, to construct or re-construct sidewalks, to construct sewers, to fill up, level or drain places rendered unhealthy from the want thereof, by special assessment of the cost and expense thereof upon the owners of the property abutting upon and adjoining said improvement, according and in proportion to the benefits of said improvements to said property, and for that purpose to designate and describe districts in which such improvements shall be made, and upon which said assessments shall be made, and to provide by ordinance the manner of doing the same and for assessing and collecting the cost and expenses thereof: *Provided, however*, That no such improvement shall be made without the concurring vote of two-thirds of all of the aldermen elect.

Proviso.

Authority of
council to open
streets, etc.

SEC. 21. The common council shall have full power, by the concurring vote of two-thirds of the aldermen elect, to lay out, establish, open, extend, widen, straighten, alter, close, vacate or abolish any highways, streets, avenues, lanes, alleys, public grounds or spaces in said city, whenever they shall deem it a necessary public improvement; also, to obtain sites for public buildings for said city, and to lay through private property sewers and water pipes; also, to open private roads and alleys in said city. Private property may be taken therefor, but the necessity for using the

same, the just compensation to be made therefor, and the damage arising to any person from the making of said improvement, shall be ascertained by a jury of twelve freeholders residing in said city.

SEC. 22. Whenever the common council shall deem any such improvement necessary, and to take private property for public use for any such improvement they shall so declare, by resolution, which shall describe the contemplated improvement, and, if they intend to take private property therefor, they shall declare such intention and describe such property, and designate the estate or interest therein proposed to be taken, in said resolution, with particularity sufficient for an ordinary conveyance thereof; and, further, that they will by petition, on some day to be named in said resolution, apply to a justice of the peace of said city, to be named therein, for the drawing of a jury of twelve freeholders of said city, to ascertain and determine the necessity for using the property intended to be taken, if it be intended to take any for such improvement, to ascertain the just damages and compensation which any person may be entitled to, if such improvement be made, and to apportion and assess such damages and compensation to and upon all the taxable property of said city; and the time to be named for applying to such justice shall be on a day subsequent to the expiration of the time for the publication of notice of such intended application.

How property
taken for public
use.

SEC. 23. The common council shall give notice of the intended improvements and of their intended application to such justice of the peace, by causing a copy of said resolution, certified by the recorder of the city to be a true copy thereof, to be published at least once in each week in at least one newspaper printed and published in said city for four successive weeks, and the marshal of said city shall also give notice of said resolution by delivering a notice thereof, with a copy of the same annexed, to the owner or owners or agent of the owner of any private property intended to be taken, if they can be found in said city, which notice shall be directed to them, respectively, or, if they cannot be found, by leaving the same at their place of residence in said city with some person of proper age. If they or their place of residence in said city cannot be found, and such property be occupied, said notice and copy of said resolution shall be served by delivering the same to the occupant or occupants, or by leaving the same at their place of residence in said city with some person of proper age; but if the owner or owners, or agents of the owners of such property, or their places [place] of residence cannot be found, and it be not occupied, but they, their place of residence, and that of the occupant or occupants cannot be found, or if the owner or owners, occupant or occupants be unknown or non-residents of the city, then, in either of such cases, notice of such resolution may be given by posting the same, with a copy of said resolution, in some conspicuous place upon the property intended to be taken. The marshal shall give notice of said resolution, as above directed, as soon as practicable after the passage thereof, and make return of his doings, and of the time, place, and manner of giving said notice to said recorder,

Notice of inten-
tion to take
property.

at least six days before the day appointed in said resolution for the hearing of said application.

Recorder to give
city attorney
certified copy of
resolution, etc.

SEC. 24. The recorder shall deliver to the city attorney a certified copy of said resolution and also of the return of the marshal of the service of the same and notice thereof and of the proof of the publication of the same, and it shall then be the duty of said city attorney to file, in the name of said city, a petition with said justice of the peace, which shall allege and contain a copy of such resolution and of the service of the same and of the notice thereof, and also of the publication of the same, and also shall describe all the different lots, tracts and parcels of private property proposed to be taken; also the names of the owners, occupants, or others interested in such lots, tracts, and parcels of land, respectively, as far as the same can be ascertained; shall also allege that it is necessary to take and use such property for the public use or benefit, and shall pray that a jury of twelve freeholders of said city may be empaneled to determine the necessity of taking the same, the just damages sustained, and the just compensation to be paid for such private property; said petition shall be signed by said city attorney and verified by him or the marshal. It shall be the duty of the city attorney to appear before said justice and make the application in said petition referred to, and to conduct all further proceedings thereon in behalf of the common council.

Issue of sum-
mons by justice.

SEC. 25. Upon receiving and filing said petition, it shall be the duty of said justice to issue a summons, forthwith, against the respondents named in said petition, "and all other persons interested," stating the object of said petition and commanding them, in the name of the people of the State of Michigan, to appear before said justice, at a time and place in said city to be named therein, not less than ten and not exceeding thirty days from the date of the same, to show cause, if any there be, why the prayer of said petition should not be granted.

Service of sum-
mons.

SEC. 26. Said summons shall be served by the marshal or any constable of said city at least five days before the return day thereof: if the respondents can be found in said city, it shall be served by exhibiting to each of them the original and delivering a copy thereof; but if the respondents or any of them cannot be found in said city, it shall be served by leaving a copy thereof at their respective residences with some person of suitable age and discretion, and in case the respondents or any of them shall have no place of residence in said city, and shall not be found in said city, it shall be served by posting a copy of such summons on the premises, and before the return day of said summons a copy thereof shall be published in one or more newspapers published in said city for one week, and on or before the return day of said summons affidavits showing due service and publication thereof shall be filed with said justice.

Service on
minors.

SEC. 27. If any person on whom said summons should be served is a minor under the age of fourteen years, or an idiot or person of unsound mind, and resides in said city, such service shall be made on his guardian, or, if none, then on the person who has the care

of or with whom such infant, idiot, or person of unsound mind resides.

SEC. 28. In case it shall appear to said justice that any person Special guardian. to be affected by the proceedings is an infant, idiot, or of unsound mind, and has no guardian, said justice shall appoint a special guardian to attend to the interests of such person in said proceedings, who shall receive such compensation from the city for such services as he may render, not exceeding ten dollars on the certificate of said justice, as said justice shall deem fair and reasonable.

SEC. 29. On the day and at the hour specified in said summons, Hearing before justice. or on some other day and hour to be appointed at that time by said justice, the said justice shall call the case and shall enter the appearance of all parties who appear in answer to said summons, and the default and appearance of those who do not answer, and if no sufficient cause to the contrary is shown, shall make an order on his docket of the case, that a jury be impaneled to determine the necessity of taking the property described in the resolution for the public use and the damages sustained and the just compensation to be paid therefor, and, thereupon, the marshal of said city shall attend before said justice and write down the names of twenty-four disinterested freeholders of and residing in said city, qualified to serve as jurors and who shall be approved by said justice. Marshal to summon jury. Said justice shall then issue a writ of summons, directed to said marshal, commanding him to summon said twenty-four persons to be and appear before said justice to serve as jurors on some day to be named therein, at a specified hour, which shall be not less than seven nor more than twenty days after the issuing thereof. Summons, how served. The marshal shall serve said summons at least three days before the return day thereof, and make return in the same manner as in the case of a summons for jurors in civil cases before justices of the peace, and the persons thus summoned shall be bound to attend before said justice and serve until discharged, and said justice shall impose upon them a fine not exceeding five dollars for each day's non-attendance before him or neglect to serve, but they may be exempted and excused by said justice from serving for the same reasons for which jurors in civil cases before justices may be exempted or excused.

SEC. 30. The names of the jurors in attendance, and who do not claim to be exempted, or are not excused from serving shall then Drawing jury be written by said justice on separate slips of paper of equal size and appearance, as near as may be, and be deposited by him in a box having a lid or cover. He shall then shake said box so as thoroughly to mix said slips of paper or ballots, and shall draw out, impartially and openly, so many of said slips of paper or ballots containing names written thereon, one after another, as shall be sufficient to form a jury of twelve persons. The right of challenge shall be allowed, as in civil causes under the laws of this state.

SEC. 31. If, in consequence of jurors being exempted, excused or Idem. set aside, there shall not be in the box any ballots, or a sufficient number of ballots from which to draw the jury, the marshal shall forthwith, under the order of the justice, summon such further

number of freeholders of said city as said justice shall deem necessary, and may order them to be and appear before said justice forthwith to serve as jurors, and the persons thus summoned shall be returned, be bound to attend before said justice and serve, and be competent to form the jury in the same manner and to the same effect as those first summoned.

Jury.

SEC. 32. The first twelve persons who shall appear as their names are drawn and called by said justice, or who are called by him when all the ballots have been drawn from the box, and shall be approved by said justice as qualified, shall be the jury, and be sworn to discharge their duties faithfully and according to the best of their abilities. They shall go to the place of the intended improvement in charge of the marshal, and upon, or as near as practicable to any property proposed to be taken and described in said resolution, and shall then return to the office of said justice and hear the proofs and allegations of the parties, and the arguments of counsel. They shall be instructed as to their duties and the law of the case by said justice, and shall retire under charge of an officer, and render their verdict in the same manner as on the trial of an ordinary civil case.

What jury to ascertain and their verdict.

SEC. 33. Said jury shall then ascertain the necessity for using the property intended to be taken, if it be intended to take any, for such improvement, and if they shall find in the affirmative, they shall next determine the just damages and compensation to be paid to the owner or owners of any property intended to be taken for, or that may be damaged by the intended improvement, and award to the owner or owners thereof, respectively, such damages and compensation as they shall deem just. If such property shall be subject to a valid mortgage, lease or agreement, or other lien, or to either, and such facts shall be made to appear to the jury, then said jury shall apportion and award to the owners of such property, the parties in interest to such mortgage, lease or agreement, or other lien, or to either of them, such portions of the damages and compensation as they shall deem just; all amounts apportioned on account of mortgages, leases or agreements, or other liens, shall be applied to the payment of the same to the extent of the interest of the owner of the same, and in all cases when any such damages and compensation shall be awarded, the same shall be payable out of the city treasury, and the means therefor shall be raised from time to time, as may be necessary, with the general city taxes.

How word "alley" construed.

SEC. 34. The word "alley," as used in this act, shall be construed to mean only those ways or passages which bisect or divide the interior of a block. No alley, or private way, or road shall be laid out and opened except upon the petition of the owners of a majority of the lots on the block or blocks to be intersected thereby, and upon security being given to indemnify the city against the cost and expenses of laying out and opening the same.

What jury to state in their report.

SEC. 35. In cases where said jury shall find such improvement to be necessary, they shall state in their report the just damages and compensation ascertained and awarded by them to the owners, respectively, of any private property, or to any person claiming an

section fifty-eight of this act, and not exceeding four per cent in each year on the aforesaid valuation for the purpose of paying any indebtedness of the city; and all city taxes provided by sections fifty-eight and fifty-nine of this act to be assessed, levied, and collected, shall be assessed and levied previous to the first Monday of August, and shall be collected on or before the fifteenth day of September in this and each and every year hereafter; but it shall be necessary to make but one assessment in each year, and the common council shall also have power and authority to make and establish all necessary by-laws and ordinances for the collection of the same, and every assessment of tax lawfully imposed by the common council on any lands, tenements, hereditaments, or premises whatsoever in said city, shall be and remain a lien on such lands, tenements, hereditaments, and premises, from the first Monday of August of the year in which such assessment is made, until paid, and the owner or occupant, or parties interested in such real estate shall be liable to pay every such tax levied as aforesaid; and the common council shall have and are hereby invested with full, ample, and complete authority, whenever they shall deem it necessary and for the best interests of the city, to issue the bonds of said city, in such form, payable at such time or times, and at such rate of interest, not exceeding ten per cent per annum, as they shall determine, for the purpose of funding or paying any indebtedness of the city, but for no other purpose whatever.

When tax to be levied and collected, etc.

Tax a lien on property.

Council may issue bonds.

Rate of interest.

SEC. 60. It shall be the duty of the supervisor, whenever the city assessment roll shall have been completed, and previous to the first Monday of August in each and every year, to assess the taxes that have been levied by the common council, adding thereto, and to all other taxes required by law to be assessed by him one per cent for collecting expenses upon the amount so levied upon the taxable property in the city, according and in proportion to the individual and particular estimate and valuation as specified in the assessment roll of the city for the year. He shall on the first Monday of August in this and each and every year thereafter deliver to the treasurer a copy of said assessment roll, with the taxes annexed to each valuation, and such portion of said taxes as is levied on account of any indebtedness of the city shall be carried out in one column, and so much thereof as is levied for all other expenses of said city shall be carried out in another column, and the totals of all of said portions shall be carried out in the last column of said roll. He shall then annex thereto a warrant, under the hands of the supervisor and mayor, with the seal of the city affixed, commanding the treasurer to collect from the several persons named in said roll the several sums mentioned in the last column thereof, opposite their respective names, on or before the fifteenth day of September of that year; and it shall authorize said treasurer, in case any person shall neglect or refuse to pay his tax, to levy the same by distress and sale of the goods and chattels of such persons in the same manner as is or shall be provided by law in cases of township treasurers. Immediately after the common council shall have levied any taxes, the recorder shall certify

Supervisor to assess taxes.

To deliver a copy of assessment roll to treasurer.

Warrant.

When treasurer to collect.

Assessment of
state, county and
school taxes.

Cost of col-
lecting.

Warrant.

Salary of
treasurer.

Treasurer to
collect taxes.

Return of tax
roll and dupli-
cate.

Statement of
taxes unpaid.

New warrant for
uncollected
taxes.

to the supervisor the amounts thereof. It shall also be the duty of the supervisor to make a separate assessment roll for the collection of taxes levied and assessed for State, county, and school purposes, but it shall not be necessary to make a new or different assessment therefor. Said state, county, and school taxes shall be carried out in separate columns, and he shall also carry out the total amount of taxes in the last column of said roll, and shall add thereto four per cent for collecting expenses, according and in proportion to the individual and particular estimate and valuation as specified in said assessment roll. Said person shall deduct three of said four per cent upon all taxes paid to him previous to the first day of January. He shall deliver to said treasurer a copy of said assessment roll, within the same time provided for townships, and shall annex thereto a warrant, under the hands of the supervisor and mayor, with the seal of the city affixed, commanding the treasurer to collect from the several persons named in said roll the several sums mentioned in the last column thereof opposite their respective names, on or before the day specified in said warrant; and it shall authorize said treasurer, in case any person shall neglect or refuse to pay his tax, to levy the same by distress and sale of the goods and chattels of such persons in the same manner as is or shall be provided by law in cases of township treasurers. Whenever the common council shall fix a salary for said treasurer, as they are hereby authorized to do, then said percentage collected by him on all taxes shall be paid into the general expense fund of said city for the use of said city.

SEC. 61. The treasurer, upon receiving the several tax rolls, shall proceed to collect the taxes therein mentioned, and in case of neglect to pay such taxes, shall levy the same by distress and sale of the goods and chattels of every such person, wherever found in said city, and may take any property that can be taken by township treasurers in the collection of taxes. He shall give the same notice and shall sell in the same manner as township treasurers are required to do in the collection of taxes, and any surplus on such sale shall be returned to the person in whose possession said property was when the distress was made. Said treasurer shall, within ten days after the time mentioned in his warrant for the collection of said city taxes, return said tax-roll into the office of the recorder; said treasurer shall also, within ten days after the time mentioned in his warrant for the collection of state, county, and school taxes, return a duplicate of said tax-roll into the office of the recorder, and in case any of the taxes mentioned in either of said rolls shall remain unpaid and he shall be unable to collect the same, he shall make out a statement of the taxes remaining unpaid and due, with a full and perfect description of such premises from said roll, and shall attach thereto an affidavit that the sums mentioned in said statement remain unpaid, and that he has not upon diligent inquiry been able to discover any goods or chattels belonging to the person charged with or liable to pay such tax.

SEC. 62. Whenever the treasurer shall not be able to collect any city tax on personal property, on account of the absence of the

person so taxed, or for any other cause, the recorder may, if directed by the common council, issue a new warrant to the treasurer for the collection of such tax, and thereupon said warrant shall be and remain in full force for the purpose of such collection as long as shall be directed by the common council, and the treasurer shall charge and collect interest on all such taxes at ten per cent per annum from the time of returning the tax-roll until the day of collection; the common council may, at any time after a tax-roll shall have been placed in the hands of the treasurer for collection, extend the time for the collection thereof, in their discretion, not exceeding sixty days from the original return day thereof: *Provided*, That the time for the collection of state, county, and school taxes shall not be extended for a greater length of time than is or may be provided by law for the extension of the time for the collection of taxes by township treasurers, and it shall also be lawful for the treasurer, in the name of the city, to sue the person or persons against whom any such personal property tax was assessed, after the return of the assessment roll, before any court of competent jurisdiction, and to have, use, and take all lawful ways and means provided by law, including proceedings by garnishment for the collection of debts, to enforce the payment of any such tax. Executions issued upon judgments rendered for every such tax may be levied upon any property liable to be seized and sold under warrants issued for the collection of any city taxes, and the proceedings of any officer with such execution shall be the same in all respects as is now or shall be hereafter directed by law. The production of any assessment roll on the trial of any action brought for the recovery of any tax therein assessed may, upon proof that it is the original assessment roll, or the assessment roll with the warrant annexed of the city, be read or used in evidence, and if it shall appear from said assessment roll that there is a tax therein assessed against the defendant in such suit, it shall be *prima facie* evidence of the legality and regularity of the assessment of the same, and the court before whom the case may be pending shall proceed to render judgment against the defendant, unless he shall make it appear that he has paid such tax, and no stay of execution shall be allowed on any such judgment.

Proviso.

Executions for taxes, how levied.

Assessment roll prima facie evidence of legality of tax.

SEC. 63. The recorder shall, immediately after receiving said statement, transcribe the same into a book to be provided and kept for that purpose, and shall, under the direction of the common council, and in pursuance of the ordinances or resolutions of said common council, proceed to sell at public sale so much of said lands so returned on account of the non-payment of the taxes thereon as shall be necessary to satisfy the amount of taxes, together with such amount as shall be directed by the common council to cover the expenses of such sale, notice of which sale shall be given by publication in one newspaper published in said city, once in each week for four successive weeks immediately preceding such sale, and said recorder, on such sale, shall give to the purchaser or purchasers of any such lands a certificate describing the lands purchased and the time when the purchaser will be entitled to a deed

Recorder to transcribe statement.

Sale at public auction.

Proviso.

for the same, and in case a less amount than the whole of any such description should be sold the part so sold shall be taken from the north or northerly side or end thereof, and shall be bounded on the south or southerly side or end thereof by a line running parallel with the north or northerly boundary line thereof: *Provided*, That if any parcel of land cannot be sold to any person for the taxes and charges the recorder shall bid the same off to said city and shall give a like certificate of such sale, which shall have the like effect in all respects as if the same had been given to any other purchaser thereof. Upon the completion of said sale the recorder shall deliver to the treasurer a detailed statement of such sale, containing a description of the premises sold, the particular tax and amount for which the same were sold, and the names of the purchasers, which shall be transcribed in a book to be provided for and kept by said treasurer, and said recorder shall also pay to said treasurer, at the same time, all the moneys received upon such sales.

Redemption of
land sold for
taxes.

SEC. 64. Any person claiming any of the lands sold as aforesaid or any interest therein, may, at any time within one year next succeeding such sale, redeem any parcel of said lands, or any part of or interest in the same by paying to the treasurer of said city the amount for which such parcel was sold, or such proportion thereof as the part or interest redeemed shall amount to, with interest thereon at the rate of twenty-five per centum per annum, fifteen per cent of which shall be paid to the purchaser, but in no case shall the interest be computed for a less time than three months from the day of sale, whereupon the treasurer shall issue and deliver to the person making such payment a certificate of the redemption thereof, and he shall, at the expiration of the year after the making of said sales, deliver to the recorder of said city a statement of all the lands that have been redeemed as aforesaid and the amounts paid for such redemptions.

Recorder to issue
conveyance.

SEC. 65. Upon the presentation of any such certificate of sale to the recorder after the expiration of the time for the redemption of the lands sold as aforesaid, he shall execute to the purchaser, his heirs or assigns, a conveyance of the lands therein described, which conveyance shall vest in the person or persons to whom it shall be given an absolute estate, in fee simple, subject to all the claims the state may have thereon; and the same conveyance shall be *prima facie* evidence that the proceedings were regular, according to the provisions of this act, from the valuation of the same by the supervisor to the date of the deed inclusive; and every such conveyance, duly made and acknowledged, may be given in evidence in all courts and places in this state, in the same manner and with the like effect of any other conveyance of real estate or any interest therein; and the common council may, upon satisfactory evidence, upon oath, of the payment of any tax upon real estate, and that the same has been returned for non-payment, by mistake or otherwise, improperly or for any other irregularity in the return of such real estate, cancel the certificate of sale, before the lands therein described, have been conveyed as aforesaid; and thereupon the

recorder shall draw an order upon the treasurer, countersigned by the mayor, for the amount of [the] purchase money, with interest on said amount at ten per cent; and no deed shall be given upon such certificate of sale. And every such deed, when witnessed and acknowledged in the manner prescribed by law for the witnessing and acknowledging deeds in other cases, and after it shall have been on record two years in the office of the register of deeds in and for said county of Calhoun, except: *First*, When the same shall be annulled according to law; *Second*, When the land sold was not subject to taxation at the date of the assessment of the taxes for which it was sold; *Third*, When the taxes have been paid to the proper officer within the time limited by law for the payment or redemption thereof; or, *Fourth*, When a certificate that no taxes were charged against the land has been given by the proper officer within the time limited by law for the payment or redemption thereof, shall be positive evidence that the lands therein described were by such deed conveyed in fee simple to the grantee therein named and his heirs and assigns. And no suit in ejectment shall be commenced to recover said lands, or title thereto sustained thereafter, by any person claiming or holding possession or title through any other source.

When deeds
positive evidence
of conveyance.

SEC. 66. The common council of said city is hereby authorized and required to perform the same duties in and for said city as are by law imposed upon the township boards of the several townships of this State in reference to schools, state, county and school taxes, the support of the poor, state, congressional, judicial, district and county elections, except as is otherwise provided by this act; the mayor and recorder shall select and return lists of grand and petit jurors for the circuit court of Calhoun county, unless it may be otherwise provided by law, in the same manner and within the same time that the same duty is or shall be required of township officers in this state, and the supervisor, justices of the peace, recorder and other officers of said city, who are required to perform the duties of township officers of this state, shall take the oath, give the bonds, perform like duties, and receive the same pay and in the same manner, and be subject to the same liabilities as is provided for the corresponding township officers, except as is otherwise provided in this act, or as may be provided by the ordinances of the common council.

Council authorized to perform same duties as township board in reference to schools, taxes, etc.

SEC. 67. The recorder, marshal, deputy street commissioners and all other officers of said city, shall receive such compensation for their services as the common council may deem right and proper unless the same is fixed by the provisions of this act, but the mayor and aldermen shall receive no compensation for their services, except in [the] cases herein otherwise or by law provided.

Compensation of officers of city.

SEC. 68. No money shall be drawn from the treasury, unless in pursuance of previous appropriations specifying the purpose thereof; and any order or warrant directing or requiring the payment of the same, shall specify the object and purpose of such payment, and shall be signed by the recorder and countersigned by the mayor of said city.

How money drawn from treasury.

Council to publish an account of moneys received and expended.

Settlement with treasurer, etc.

Detailed statement of receipts and expenditures.

Vagrants, drunkards, etc.

Officers to continue in office.

SEC. 69. The common council shall at least once in each and every year, and during the week immediately preceding the annual charter election, cause to be published in at least one newspaper printed in said city, or in pamphlet form if directed by the common council a just and true account of all the moneys received or expended by them in their corporate capacity during the year or other period next preceding such publication, and also the disposition thereof, previous to which they shall audit and settle the accounts of the city treasurer and the accounts of all other officers or persons having claims against the city, or accounts with it, and shall make out in detail a statement of all receipts and expenditures; and which statement shall fully specify all appropriations made by the common council, and the object and purpose for which the same were made and the amount of money expended under such appropriations, the amount of taxes raised, the amount expended on highways, streets, bridges, sidewalks, crosswalks, lanes, alleys and public places, and all such information as shall be necessary to a full and perfect understanding of the financial affairs of the city.

SEC. 70. All persons being habitual drunkards, destitute, and without visible means of support, or who, being such habitual drunkards, shall abandon, neglect or refuse to aid in the support of their families, being complained of by any member of such families, or by the mayor, any alderman, the marshal, any constable or police officer of said city; all able-bodied and sturdy beggars who may apply for alms or solicit charity; all persons wandering abroad, lodging in watch-houses, railroad depots, buildings or cars, out houses, market-places, sheds, barns, stables or uninhabited dwellings, or in the open air, and not giving a good account of themselves; all common brawlers and disturbers of the public quiet; all persons wandering abroad and begging, or who go about from door to door and place themselves in streets, lanes, alleys or other public places, or beg or receive alms within said city; all persons who neglect or refuse to provide for their wives or children according to their means; all persons who shall frequent and be harbored in houses of ill-fame; who shall secure or provide business for such houses by inducing persons to visit the same, and who shall derive any profit or gain from such acts, or reward or share of the receipts or profits from the women residing or being in such houses, or who shall be, in consideration of such acts, in whole or in part supported by said woman [women], shall be deemed vagrants, and may, upon conviction before the recorder or any justice of the peace of said city, be sentenced to confinement at hard labor in the county jail, or in any prison, work-house, or house of correction in said city, for any term not exceeding three months.

SEC. 71. All the officers of said city who may be in office when this act shall take effect shall continue to exercise the duties of their respective offices until the term for which they were elected or appointed shall have expired. The first charter election to be held in said city after this act shall take effect shall be held in

precisely the same manner in all respects as if this act had not been passed, unless as otherwise herein provided, and like notice of holding such election shall be given, and shall be superintended by the same officers as is required by the acts hereby repealed.

SEC. 72. All process issued against said city shall run against said city in the corporate name thereof, and such process shall be served by exhibiting the original and leaving a true and certified copy thereof with the mayor or recorder of said city. All suits and proceedings instituted or commenced by or against the city of Battle Creek before this act shall take effect shall be prosecuted to the end thereof, the same as though this act had not been passed.

All process to be
in corporate
name of city.

SEC. 73. All acts and parts of acts heretofore passed, inconsistent with the provisions of this act, are hereby repealed, but nothing herein contained shall be construed to destroy, impair or to take away any right or remedy acquired or given by any act hereby repealed, and all proceedings commenced under any such former act shall be carried out and completed, and all prosecutions for any offense committed or penalty or forfeiture incurred shall be enforced in the same manner in all respects, and with the same effect, as if this act had not been passed; but nothing in this section contained shall be so construed as to annul or impair or affect any ordinance, by-law, resolution or proceeding of said city not inconsistent with the provisions of this act, but the same shall continue and be in force until the same are amended or repealed, as fully as though this act had not been enacted.

Acts repealed.

SEC. 74. All the personal and real estate, franchises, rights, credits and effects whatsoever, and all and every right or interest therein belonging to the city of Battle Creek under and by virtue of any former acts and all demands due and to grow due to the same, shall hereafter fully and absolutely belong to the corporation created and continued by this act, saving, nevertheless, to all and every person, his or their just rights therein; and to the end that all and singular the estates and rights aforesaid may be fully vested in the corporation hereby created and continued, every person who is or shall be possessed thereof, shall deliver the same to the city of Battle Creek, with all moneys, deeds, evidences of debt, property, books, papers and records, touching or concerning the same, when legally required so to do; and said city may bring suit, in its corporate name for the recovery of the same; and the corporation hereby created and continued shall be liable for and pay all just debts due from or claims or demands against the city of Battle Creek, as heretofore existing and all contracts or agreements heretofore made or entered into by the corporate authorities of the city of Battle Creek shall be and the same are hereby made binding and obligatory upon the corporation hereby created and continued.

Property, etc.,
to belong to cor-
poration created
by act.

SEC. 75. This act shall be deemed a public act, and shall be favorably construed in all courts and places whatsoever. The legislature may at any time modify, alter, amend, or repeal the same.

Public act.

SEC. 76. The township [townships] of Battle Creek and Emmet

What fines to be paid into county treasury.

All fines recovered for any violation of any law of the state, and for a violation of any by-law or ordinance of said city which the law requires to be paid to the county treasurer, shall be paid to the treasurer of the county of Calhoun; and all expenses and costs of apprehending, examining, trying and committing offenders against any of the laws of the state, or against any such by-law or ordinance of said city, where the fines, when recovered, are by law required to be paid to the county treasurer, shall be audited, allowed and paid by the board of supervisors of said county of Calhoun, the same as if such expenses and costs had been incurred in any township of said county.

Competency of witnesses.

SEC. 56. In all suits or proceedings in which the city of Battle Creek shall be a party, or shall be interested, no inhabitant of said city shall be deemed incompetent as a witness or juror, or to discharge the duties of any judicial office on account of his interest in the event of such suit, action, or proceeding: *Provided*, Such interest be such only as he has in common with the inhabitants of said city.

Proviso.

Supervisor to make separate list.

SEC. 57. The supervisor of said city shall make out from the assessment roll a separate list and statement of the valuation of all the taxable personal property, and a description of all lots or parcels of land within said city, inserting in a separate part of such list descriptions of lands owned by non-residents of said city, with the value of each lot or parcel set down opposite to such description as the same shall appear on the assessment roll; and if such lot or tract was not separately described in such roll, then in proportion to the valuation which shall have been affixed to the whole tract of which such a lot or parcel forms a part.

Limit of tax to be raised by council.

SEC. 58. The common council shall also have authority and power to assess and levy taxes upon the real and personal property within the limits of said city, to the extent that it shall be deemed necessary by the common council, not to exceed one per cent on the valuation, for the purpose of being expended on the streets, side-walks, cross-walks, bridges, lanes, alleys, and public grounds of the city, in opening, working upon, repairing, building, and grading such streets, side-walks, cross-walks, bridges, lanes, alleys, and public grounds; and the manner of levying and collecting such taxes, and the returning of property for the non-payment of such taxes, and the sales and redemptions of the same, shall be the same, as near as may be, as other city taxes are to be assessed and collected; and it shall be the duty of the common council to expend the money so raised for the purposes aforesaid, by contract or otherwise.

Idem.

SEC. 59. The common council shall have power and authority, in addition to the tax provided for in section fifty-eight of this act, for streets, sidewalks, crosswalks, bridges, lanes, alleys, and public grounds, to levy and collect taxes on all the real and personal property within the limits of said city by them deemed necessary, not exceeding one per cent each year on the valuation of the real and personal property in said city, as determined by the assessment roll for that year, for the ordinary municipal expenses not provided for in said

section fifty-eight of this act, and not exceeding four per cent in each year on the aforesaid valuation for the purpose of paying any indebtedness of the city; and all city taxes provided by sections fifty-eight and fifty-nine of this act to be assessed, levied, and collected, shall be assessed and levied previous to the first Monday of August, and shall be collected on or before the fifteenth day of September in this and each and every year hereafter; but it shall be necessary to make but one assessment in each year, and the common council shall also have power and authority to make and establish all necessary by-laws and ordinances for the collection of the same, and every assessment of tax lawfully imposed by the common council on any lands, tenements, hereditaments, or premises whatsoever in said city, shall be and remain a lien on such lands, tenements, hereditaments, and premises, from the first Monday of August of the year in which such assessment is made, until paid, and the owner or occupant, or parties interested in such real estate shall be liable to pay every such tax levied as aforesaid; and the common council shall have and are hereby invested with full, ample, and complete authority, whenever they shall deem it necessary and for the best interests of the city, to issue the bonds of said city, in such form, payable at such time or times, and at such rate of interest, not exceeding ten per cent per annum, as they shall determine, for the purpose of funding or paying any indebtedness of the city, but for no other purpose whatever.

When tax to be levied and collected, etc.

Tax a lien on property.

Council may issue bonds.

Rate of interest.

SEC. 60. It shall be the duty of the supervisor, whenever the city assessment roll shall have been completed, and previous to the first Monday of August in each and every year, to assess the taxes that have been levied by the common council, adding thereto, and to all other taxes required by law to be assessed by him one per cent for collecting expenses upon the amount so levied upon the taxable property in the city, according and in proportion to the individual and particular estimate and valuation as specified in the assessment roll of the city for the year. He shall on the first Monday of August in this and each and every year thereafter deliver to the treasurer a copy of said assessment roll, with the taxes annexed to each valuation, and such portion of said taxes as is levied on account of any indebtedness of the city shall be carried out in one column, and so much thereof as is levied for all other expenses of said city shall be carried out in another column, and the totals of all of said portions shall be carried out in the last column of said roll. He shall then annex thereto a warrant, under the hands of the supervisor and mayor, with the seal of the city affixed, commanding the treasurer to collect from the several persons named in said roll the several sums mentioned in the last column thereof, opposite their respective names, on or before the fifteenth day of September of that year; and it shall authorize said treasurer, in case any person shall neglect or refuse to pay his tax, to levy the same by distress and sale of the goods and chattels of such persons in the same manner as is or shall be provided by law in cases of township treasurers. Immediately after the common council shall have levied any taxes, the recorder shall certify

Supervisor to assess taxes.

To deliver a copy of assessment roll to treasurer.

Warrant.

When treasurer to collect.

Assessment of
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Cost of col-
lecting.

Warrant.

Salary of
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Treasurer to
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Return of tax
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cate.

Statement of
taxes unpaid.

New warrant for
uncollected
taxes.

to the supervisor the amounts thereof. It shall also be the duty of the supervisor to make a separate assessment roll for the collection of taxes levied and assessed for State, county, and school purposes, but it shall not be necessary to make a new or different assessment therefor. Said state, county, and school taxes shall be carried out in separate columns, and he shall also carry out the total amount of taxes in the last column of said roll, and shall add thereto four per cent for collecting expenses, according and in proportion to the individual and particular estimate and valuation as specified in said assessment roll. Said person shall deduct three of said four per cent upon all taxes paid to him previous to the first day of January. He shall deliver to said treasurer a copy of said assessment roll, within the same time provided for townships, and shall annex thereto a warrant, under the hands of the supervisor and mayor, with the seal of the city affixed, commanding the treasurer to collect from the several persons named in said roll the several sums mentioned in the last column thereof opposite their respective names, on or before the day specified in said warrant; and it shall authorize said treasurer, in case any person shall neglect or refuse to pay his tax, to levy the same by distress and sale of the goods and chattels of such persons in the same manner as is or shall be provided by law in cases of township treasurers. Whenever the common council shall fix a salary for said treasurer, as they are hereby authorized to do, then said percentage collected by him on all taxes shall be paid into the general expense fund of said city for the use of said city.

SEC. 61. The treasurer, upon receiving the several tax rolls, shall proceed to collect the taxes therein mentioned, and in case of neglect to pay such taxes, shall levy the same by distress and sale of the goods and chattels of every such person, wherever found in said city, and may take any property that can be taken by township treasurers in the collection of taxes. He shall give the same notice and shall sell in the same manner as township treasurers are required to do in the collection of taxes, and any surplus on such sale shall be returned to the person in whose possession said property was when the distress was made. Said treasurer shall, within ten days after the time mentioned in his warrant for the collection of said city taxes, return said tax-roll into the office of the recorder; said treasurer shall also, within ten days after the time mentioned in his warrant for the collection of state, county, and school taxes, return a duplicate of said tax-roll into the office of the recorder, and in case any of the taxes mentioned in either of said rolls shall remain unpaid and he shall be unable to collect the same, he shall make out a statement of the taxes remaining unpaid and due, with a full and perfect description of such premises from said roll, and shall attach thereto an affidavit that the sums mentioned in said statement remain unpaid, and that he has not upon diligent inquiry been able to discover any goods or chattels belonging to the person charged with or liable to pay such tax.

SEC. 62. Whenever the treasurer shall not be able to collect any city tax on personal property, on account of the absence of the

person so taxed, or for any other cause, the recorder may, if directed by the common council, issue a new warrant to the treasurer for the collection of such tax, and thereupon said warrant shall be and remain in full force for the purpose of such collection as long as shall be directed by the common council, and the treasurer shall charge and collect interest on all such taxes at ten per cent per annum from the time of returning the tax-roll until the day of collection; the common council may, at any time after a tax-roll shall have been placed in the hands of the treasurer for collection, extend the time for the collection thereof, in their discretion, not exceeding sixty days from the original return day thereof: *Provided*, That the time for the collection of state, county, and school taxes shall not be extended for a greater length of time than is or may be provided by law for the extension of the time for the collection of taxes by township treasurers, and it shall also be lawful for the treasurer, in the name of the city, to sue the person or persons against whom any such personal property tax was assessed, after the return of the assessment roll, before any court of competent jurisdiction, and to have, use, and take all lawful ways and means provided by law, including proceedings by garnishment for the collection of debts, to enforce the payment of any such tax. Executions issued upon judgments rendered for every such tax may be levied upon any property liable to be seized and sold under warrants issued for the collection of any city taxes, and the proceedings of any officer with such execution shall be the same in all respects as is now or shall be hereafter directed by law. The production of any assessment roll on the trial of any action brought for the recovery of any tax therein assessed may, upon proof that it is the original assessment roll, or the assessment roll with the warrant annexed of the city, be read or used in evidence, and if it shall appear from said assessment roll that there is a tax therein assessed against the defendant in such suit, it shall be *prima facie* evidence of the legality and regularity of the assessment of the same, and the court before whom the case may be pending shall proceed to render judgment against the defendant, unless he shall make it appear that he has paid such tax, and no stay of execution shall be allowed on any such judgment.

Provided.

Executions for taxes, how levied.

Assessment roll prima facie evidence of legality of tax.

SEC. 63. The recorder shall, immediately after receiving said statement, transcribe the same into a book to be provided and kept for that purpose, and shall, under the direction of the common council, and in pursuance of the ordinances or resolutions of said common council, proceed to sell at public sale so much of said lands so returned on account of the non-payment of the taxes thereon as shall be necessary to satisfy the amount of taxes, together with such amount as shall be directed by the common council to cover the expenses of such sale, notice of which sale shall be given by publication in one newspaper published in said city, once in each week for four successive weeks immediately preceding such sale, and said recorder, on such sale, shall give to the purchaser or purchasers of any such lands a certificate describing the lands purchased and the time when the purchaser will be entitled to a deed

Recorder to transcribe statement.

Sale at public auction.

Proviso.

for the same, and in case a less amount than the whole of any such description should be sold the part so sold shall be taken from the north or northerly side or end thereof, and shall be bounded on the south or southerly side or end thereof by a line running parallel with the north or northerly boundary line thereof: *Provided*, That if any parcel of land cannot be sold to any person for the taxes and charges the recorder shall bid the same off to said city and shall give a like certificate of such sale, which shall have the like effect in all respects as if the same had been given to any other purchaser thereof. Upon the completion of said sale the recorder shall deliver to the treasurer a detailed statement of such sale, containing a description of the premises sold, the particular tax and amount for which the same were sold, and the names of the purchasers, which shall be transcribed in a book to be provided for and kept by said treasurer, and said recorder shall also pay to said treasurer, at the same time, all the moneys received upon such sales.

Redemption of
land sold for
taxes.

SEC. 64. Any person claiming any of the lands sold as aforesaid or any interest therein, may, at any time within one year next succeeding such sale, redeem any parcel of said lands, or any part of or interest in the same by paying to the treasurer of said city the amount for which such parcel was sold, or such proportion thereof as the part or interest redeemed shall amount to, with interest thereon at the rate of twenty-five per centum per annum, fifteen per cent of which shall be paid to the purchaser, but in no case shall the interest be computed for a less time than three months from the day of sale, whereupon the treasurer shall issue and deliver to the person making such payment a certificate of the redemption thereof, and he shall, at the expiration of the year after the making of said sales, deliver to the recorder of said city a statement of all the lands that have been redeemed as aforesaid and the amounts paid for such redemptions.

Recorder to issue
conveyance.

SEC. 65. Upon the presentation of any such certificate of sale to the recorder after the expiration of the time for the redemption of the lands sold as aforesaid, he shall execute to the purchaser, his heirs or assigns, a conveyance of the lands therein described, which conveyance shall vest in the person or persons to whom it shall be given an absolute estate, in fee simple, subject to all the claims the state may have thereon; and the same conveyance shall be *prima facie* evidence that the proceedings were regular, according to the provisions of this act, from the valuation of the same by the supervisor to the date of the deed inclusive; and every such conveyance, duly made and acknowledged, may be given in evidence in all courts and places in this state, in the same manner and with the like effect of any other conveyance of real estate or any interest therein; and the common council may, upon satisfactory evidence, upon oath, of the payment of any tax upon real estate, and that the same has been returned for non-payment, by mistake or otherwise, improperly or for any other irregularity in the return of such real estate, cancel the certificate of sale, before the lands therein described, have been conveyed as aforesaid; and thereupon the

recorder shall draw an order upon the treasurer, countersigned by the mayor, for the amount of [the] purchase money, with interest on said amount at ten per cent; and no deed shall be given upon such certificate of sale. And every such deed, when witnessed and acknowledged in the manner prescribed by law for the witnessing and acknowledging deeds in other cases, and after it shall have been on record two years in the office of the register of deeds in and for said county of Calhoun, except: *First*, When the same shall be annulled according to law; *Second*, When the land sold was not subject to taxation at the date of the assessment of the taxes for which it was sold; *Third*, When the taxes have been paid to the proper officer within the time limited by law for the payment or redemption thereof; or, *Fourth*, When a certificate that no taxes were charged against the land has been given by the proper officer within the time limited by law for the payment or redemption thereof, shall be positive evidence that the lands therein described were by such deed conveyed in fee simple to the grantee therein named and his heirs and assigns. And no suit in ejectment shall be commenced to recover said lands, or title thereto sustained thereafter, by any person claiming or holding possession or title through any other source.

When deeds
positive evidence
of conveyance.

SEC. 66. The common council of said city is hereby authorized and required to perform the same duties in and for said city as are by law imposed upon the township boards of the several townships of this State in reference to schools, state, county and school taxes, the support of the poor, state, congressional, judicial, district and county elections, except as is otherwise provided by this act; the mayor and recorder shall select and return lists of grand and petit jurors for the circuit court of Calhoun county, unless it may be otherwise provided by law, in the same manner and within the same time that the same duty is or shall be required of township officers in this state, and the supervisor, justices of the peace, recorder and other officers of said city, who are required to perform the duties of township officers of this state, shall take the oath, give the bonds, perform like duties, and receive the same pay and in the same manner, and be subject to the same liabilities as is provided for the corresponding township officers, except as is otherwise provided in this act, or as may be provided by the ordinances of the common council.

Council authorized to perform same duties as township board in reference to schools, taxes, etc.

SEC. 67. The recorder, marshal, deputy street commissioners and all other officers of said city, shall receive such compensation for their services as the common council may deem right and proper unless the same is fixed by the provisions of this act, but the mayor and aldermen shall receive no compensation for their services, except in [the] cases herein otherwise or by law provided.

Compensation of officers of city.

SEC. 68. No money shall be drawn from the treasury, unless in pursuance of previous appropriations specifying the purpose thereof; and any order or warrant directing or requiring the payment of the same, shall specify the object and purpose of such payment, and shall be signed by the recorder and countersigned by the mayor of said city.

How money drawn from treasury.

Council to publish an account of moneys received and expended.

Settlement with treasurer, etc.

Detailed statement of receipts and expenditures.

Vagrants, drunkards, etc.

Officers to continue in office.

SEC. 69. The common council shall at least once in each and every year, and during the week immediately preceding the annual charter election, cause to be published in at least one newspaper printed in said city, or in pamphlet form if directed by the common council a just and true account of all the moneys received or expended by them in their corporate capacity during the year or other period next preceding such publication, and also the disposition thereof, previous to which they shall audit and settle the accounts of the city treasurer and the accounts of all other officers or persons having claims against the city, or accounts with it, and shall make out in detail a statement of all receipts and expenditures; and which statement shall fully specify all appropriations made by the common council, and the object and purpose for which the same were made and the amount of money expended under such appropriations, the amount of taxes raised, the amount expended on highways, streets, bridges, sidewalks, crosswalks, lanes, alleys and public places, and all such information as shall be necessary to a full and perfect understanding of the financial affairs of the city.

SEC. 70. All persons being habitual drunkards, destitute, and without visible means of support, or who, being such habitual drunkards, shall abandon, neglect or refuse to aid in the support of their families, being complained of by any member of such families, or by the mayor, any alderman, the marshal, any constable or police officer of said city; all able-bodied and sturdy beggars who may apply for alms or solicit charity; all persons wandering abroad, lodging in watch-houses, railroad depots, buildings or cars, out houses, market-places, sheds, barns, stables or uninhabited dwellings, or in the open air, and not giving a good account of themselves; all common brawlers and disturbers of the public quiet; all persons wandering abroad and begging, or who go about from door to door and place themselves in streets, lanes, alleys or other public places, or beg or receive alms within said city; all persons who neglect or refuse to provide for their wives or children according to their means; all persons who shall frequent and be harbored in houses of ill-fame; who shall secure or provide business for such houses by inducing persons to visit the same, and who shall derive any profit or gain from such acts, or reward or share of the receipts or profits from the women residing or being in such houses, or who shall be, in consideration of such acts, in whole or in part supported by said woman [women], shall be deemed vagrants, and may, upon conviction before the recorder or any justice of the peace of said city, be sentenced to confinement at hard labor in the county jail, or in any prison, work-house, or house of correction in said city, for any term not exceeding three months.

SEC. 71. All the officers of said city who may be in office when this act shall take effect shall continue to exercise the duties of their respective offices until the term for which they were elected or appointed shall have expired. The first charter election to be held in said city after this act shall take effect shall be held in

precisely the same manner in all respects as if this act had not been passed, unless as otherwise herein provided, and like notice of holding such election shall be given, and shall be superintended by the same officers as is required by the acts hereby repealed.

SEC. 72. All process issued against said city shall run against said city in the corporate name thereof, and such process shall be served by exhibiting the original and leaving a true and certified copy thereof with the mayor or recorder of said city. All suits and proceedings instituted or commenced by or against the city of Battle Creek before this act shall take effect shall be prosecuted to the end thereof, the same as though this act had not been passed.

All process to be in corporate name of city.

SEC. 73. All acts and parts of acts heretofore passed, inconsistent with the provisions of this act, are hereby repealed, but nothing herein contained shall be construed to destroy, impair or to take away any right or remedy acquired or given by any act hereby repealed, and all proceedings commenced under any such former act shall be carried out and completed, and all prosecutions for any offense committed or penalty or forfeiture incurred shall be enforced in the same manner in all respects, and with the same effect, as if this act had not been passed; but nothing in this section contained shall be so construed as to annul or impair or affect any ordinance, by-law, resolution or proceeding of said city not inconsistent with the provisions of this act, but the same shall continue and be in force until the same are amended or repealed, as fully as though this act had not been enacted.

Acts repealed.

SEC. 74. All the personal and real estate, franchises, rights, credits and effects whatsoever, and all and every right or interest therein belonging to the city of Battle Creek under and by virtue of any former acts and all demands due and to grow due to the same, shall hereafter fully and absolutely belong to the corporation created and continued by this act, saving, nevertheless, to all and every person, his or their just rights therein; and to the end that all and singular the estates and rights aforesaid may be fully vested in the corporation hereby created and continued, every person who is or shall be possessed thereof, shall deliver the same to the city of Battle Creek, with all moneys, deeds, evidences of debt, property, books, papers and records, touching or concerning the same, when legally required so to do; and said city may bring suit, in its corporate name for the recovery of the same; and the corporation hereby created and continued shall be liable for and pay all just debts due from or claims or demands against the city of Battle Creek, as heretofore existing and all contracts or agreements heretofore made or entered into by the corporate authorities of the city of Battle Creek shall be and the same are hereby made binding and obligatory upon the corporation hereby created and continued.

Property, etc., to belong to corporation created by act.

SEC. 75. This act shall be deemed a public act, and shall be favorably construed in all courts and places whatsoever. The legislature may at any time modify, alter, amend, or repeal the same.

Public act.

SEC. 76. The township [townships] of Battle Creek and Emmet

Townships to
remain same as
before act.

shall be, remain, and continue the same in all respects as before the passage of this act.

SEC. 77. This act shall take immediate effect.

Approved April 3, 1879.

[No. 340.]

AN ACT to amend sections four, eight, ten, thirteen, sixteen, forty-five, fifty-one, fifty-two, fifty-three, fifty-four, fifty-nine, sixty-one, sixty-three, sixty-five, sixty-six, eighty-one, ninety-two, ninety-five, one hundred, one hundred and one, one hundred and three, one hundred and five, one hundred and six, one hundred and ten, one hundred and eleven, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen and one hundred and seventeen of an act entitled "An act to revise the charter of the city of Adrian," approved March twentieth, eighteen hundred and sixty-five, as amended by act approved March sixteenth, eighteen hundred and sixty-nine, and further amended by an act approved March eighteenth, eighteen hundred and seventy-one.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact, That* sections four, eight, ten, thirteen, sixteen, forty-five, fifty-one, fifty-two, fifty-three, fifty-four, fifty-nine, sixty-one, sixty-three, sixty-five, sixty-six, eighty-one, ninety-two, ninety-five, one hundred, one hundred and one, one hundred and three, one hundred and five, one hundred and six, one hundred and ten, one hundred and eleven, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen and one hundred and seventeen of an act entitled "An act to revise the charter of the city of Adrian," approved March twentieth, eighteen hundred and sixty-five, as amended by act approved March sixteenth, eighteen hundred and sixty-nine, and further amended by an act approved March eighteenth, eighteen hundred and seventy-one, be and the same hereby are amended so as to [be and] read as follows:

Elective city
officers.

SEC. 4. The following officers of the corporation shall be elected on a general ticket by the qualified electors of the whole city, viz.: a mayor, city recorder, city treasurer, street commissioner, city marshal and four justices of the peace. The following officers of the corporation shall be elected on a ward ticket, in each ward, by the qualified electors thereof, viz.: a supervisor, two aldermen and one constable.

Oath of office,
when to be
taken.

SEC. 8. Justices of the peace elected under the provisions of this act shall take and subscribe the constitutional oath of office, and file the same with the clerk of the county of Lenawee within the time prescribed by law. All other officers so elected, and all officers appointed by the common council shall, within ten days after notice of their election or appointment, take and subscribe before some officer authorized to administer oaths, the oath of office prescribed by the constitution of this state, and file the same with the

city recorder. The justice of the peace whose term of office soon-
 est expires shall be the police justice of the city, before whom all
 suits and proceedings for violations of any of the ordinances of said
 city shall be tried; and for such service he shall receive a compen-
 sation not exceeding one hundred dollars, and not less than fifty
 dollars per year, as shall be fixed and determined by the common
 council of said city. Such salary shall be in lieu of all other fees
 and charges for such services: *Provided*, That in case such police
 justice shall, from illness, absence from the city or other legal dis-
 ability, be unable or incompetent to try such cause [causes], then
 in any such case the city attorney may bring such suit before any
 other justice of the city, who may thereupon try and determine
 the same, and receive such fees therefor as is now provided by law.

Police justice,
 powers and
 duties.

Proviso.

SEC. 10. The mayor, recorder, treasurer, marshal, street com-
 missioner, supervisors, and constables shall be elected at the annual
 city election, and shall hold their offices for the term of one year,
 and until their successors are elected and qualified. One justice of
 the peace shall be elected at the annual city election in the year
 eighteen hundred and sixty-five, and there shall be elected annually
 thereafter, at each annual city election, one justice of the peace.
 The term of office of each justice of the peace (excepting in cases
 where such justice shall be elected to fill a vacancy) shall com-
 mence on the fourth day of July following his election, and shall
 continue four years, and until his successor shall be elected and
 qualified. One alderman shall be elected in each ward at the
 annual city election in the year eighteen hundred and sixty-five,
 and shall hold his office for the term of two years, and until his
 successor [successors] shall be elected and qualified; and there
 shall be elected annually thereafter in each ward one alderman for
 the like term.

Officers, when
 elected.

Term of office.

Justices of the
 peace.

Aldermen.

SEC. 13. The mayor and aldermen of said city shall each receive
 a salary not exceeding fifty dollars a year and no more. All other
 officers of said corporation shall receive such compensation for their
 services as the common council shall prescribe, except where the
 same is fixed by this act, or is or shall be prescribed by other stat-
 utes of this state: *Provided*, That the city marshal shall not
 receive more than seven hundred dollars, and such salary shall be
 in full of all fees, charges, and emoluments, for all services ren-
 dered by him in the performance of any of the duties of his office
 in any one year. And all fees and costs chargeable under any
 ordinance or other provision of law, for any services performed by
 the city marshal, whether the same shall be performed under any
 ordinance of said city, or under any law of this state, or otherwise,
 shall be collected by said marshal, and shall be by him paid into
 the city treasury within one month after the collection thereof, and
 the same shall belong to said city. Said city marshal shall not,
 during his term of office as such marshal, hold the office of con-
 stable, or be appointed to any other office under the charter or
 ordinances of said city. And if said city marshal, by agreement
 or arrangement with any other officer or person, shall receive,
 either directly or indirectly, any money, compensation, or fee, or

Salaries of
 officers.

Proviso.

any portion of the fees and costs charged or chargeable for services performed, or on account of services to be performed by any other officer or person, he shall be deemed guilty of a misdemeanor and shall be punished accordingly. The city recorder shall not receive more than the sum of eight hundred dollars for his services in any one year, which shall be in full for all services performed by him in the discharge of the duties of his office, and in full for the services of any deputy, all clerk hire, or other assistants required in the performance of the duties of his office.

Removal of officers by common council.

SEC. 16. The common council shall have power to remove from office the recorder, marshal, treasurer and any street commissioner for any violation of the provisions of this act, or any ordinance or by-law of said city, or for refusing to perform the lawful requirements of said common council. But the removal of any officer shall not, nor shall the appointment of any other person in his place, exonerate the officer removed or his sureties from any liability incurred by him or them.

City recorder, duties, etc.

SEC. 45. The city recorder, in addition to other duties imposed upon him by this act, shall keep the corporate seal, and all the papers and files belonging to said city as a corporation, not properly by this act in the custody of some other officer thereof, and shall make a record of the proceedings of the common council, whose meetings it shall be his duty to attend, and shall make and preserve a record of all ordinances and by-laws passed by the common council, in proper books to be provided therefor; and copies of all papers duly filed in his office, and transcripts from the records of the proceedings of the common council, certified to by him under the corporate seal of the city, shall be evidence in all places of the matters therein contained; he shall countersign all licenses granted for any purpose whatever by the mayor or common council, and shall enter in an appropriate book the name of every person to whom a license shall be granted, and the number of such license and the date thereof, and the time during which it is to be continued in force, and the sum paid for such license, and shall be collector of taxes in and for said city. No license for any purpose shall be valid until thus countersigned by the recorder, and he shall also perform such duties as are or may be required of township clerks, in all cases in which he is authorized or required by this act to perform the duties of township clerk, and for such services he shall receive the same fees as they are entitled to receive under the laws of this state; he is also hereby authorized and empowered generally to administer oaths and to take affidavits. Before entering upon the duties of his office he shall execute to the city of Adrian a bond in such sum as the common council shall direct and with sufficient sureties to be approved by the common council, conditioned for the faithful performance of the duties of his office.

Licenses to be countersigned by recorder.

City marshal. Powers and duties.

SEC. 51. The city marshal shall be the chief of the police of the city, and it shall be his duty to serve all processes for the purpose of enforcing any of the ordinances of said city; and it shall be his duty to see that all the laws, ordinances and regulations passed by the common council are promptly and efficiently enforced; he shall

obey all lawful orders of the mayor and common council, and shall attend the meetings of the common council, and may command the aid and assistance of all constables and other persons in the discharge of the duties imposed upon him by law; he shall have power and authority, and it shall be his duty, with or without process, to apprehend any person found disturbing the peace or offending against any of the by-laws and ordinances of the city, and forthwith take such person before said police justice of said city, to be dealt with as the by-laws and ordinances of said city shall provide; and shall apprehend and imprison any person found drunk by him in the streets, until such person shall become sober, and shall be authorized to command the assistance, in the discharge of such duties, of any of the citizens, if deemed by him necessary; and he is hereby vested with all the powers conferred by law upon constables elected in townships, except the power of serving processes in civil cases, and he shall within said city arrest any person or persons guilty of any violation of any of the penal laws of this state and forthwith take the person or persons so arrested before some justice of the peace of said city to be dealt with according to law, and shall make or cause to be made the proper complaint against such offenders, and shall perform all the duties that may be required of him by the by-laws or [and] ordinances of said city.

SEC. 52. The city recorder shall collect all taxes and moneys levied and assessed within said city for city purposes and for defraying the expenses of said city, within such time and in such manner as the common council shall by ordinances [ordinance] direct, except as herein otherwise provided. And all moneys so collected or received by him for the purposes aforesaid, shall be paid over to the city treasurer immediately after the collection thereof.

Recorder to collect city taxes.

To pay them to treasurer.

SEC. 53. The city recorder shall be the collector of all taxes, assessed or levied for state, county and school purposes in said city; and it shall be his duty to perform and discharge the same duties, in relation to the collection and return of taxes, which may be assessed or levied in the several wards of said city for state, county and school purposes, that are now or may be required to be performed by township treasurers in this state; and he shall enter into a bond to the county treasurer of Lenawee county, for the purposes and in the manner now required of such township treasurers, to be approved by said county treasurer; and shall also enter into a bond, with sufficient sureties, to the treasurer of said city, who is hereby authorized to take and approve the same, conditioned that he will pay over to said city treasurer all moneys for school purposes, library and school-house purposes, collected in said city which may come into his hands by virtue of his office.

To collect state taxes, etc.

To give bond.

SEC. 54. The city recorder may, with the approval of the common council, appoint a deputy, and revoke such appointment at pleasure, which appointment and revocation shall be in writing under his hand, and shall be filed in the office of the city recorder; and such deputy may perform all the duties of the recorder. The recorder and his sureties shall be responsible for the acts of the

May appoint deputy.

Powers and
duties of deputy.

deputy, and all his clerks, assistants and employés; and in case of the death, resignation or removal of the recorder, by any other means, the deputy shall perform the duties pertaining to the office of city recorder until such vacancy shall be supplied.

Jurisdiction of
police justice.

SEC. 59. The police justice in said city is hereby authorized and empowered to enquire of, hear, try and determine, in a summary manner, all offenses which shall be committed within the limits of said city, against any of the by-laws and ordinances that shall be made or adopted by the common council in pursuance of the powers granted by this act, and to punish the offenders as by the said laws or ordinances shall be prescribed or directed; and such justice shall have original jurisdiction and power to hear, try and determine all charges, complaints, actions and prosecutions for the recovery or enforcing of any and all fines, penalties or forfeitures for alleged violations or infringements of the acts of the legislature of this state incorporating said city except in cases where jurisdiction is given to some other courts; and all actions for encroachments upon, or injury to, any of the streets, lanes, alleys, bridges, parks, buildings, trees, fences, gates or any other private or public improvements within said city, the proceedings in all such actions and prosecutions shall be according to and governed by the general laws and rules of practice of this state, applicable to courts of justices of the peace.

Costs on con-
viction.

SEC. 61. Whenever a conviction is had or a judgment rendered for any fine, penalty or forfeiture for a violation of this act or of any ordinance of said city, it shall be with costs of suit, and execution shall issue therefor, and all such fines, forfeitures and costs when collected shall be paid into the city treasury.

Fines, where
paid.

May imprison in
county jail or
state house of
correction.

SEC. 63. The police justice of said city shall have power, in all cases where, by the provisions of this act or of any ordinances of said city, any person who may be sentenced to imprisonment, to imprison in the jail of the county of Lenawee, in the same manner as any court of record of this state, or other competent authority, is authorized to commit to said jail; and in all cases where the term of such imprisonment shall exceed ninety days, such person may be sentenced to confinement in the state house of correction at Ionia, and it is hereby made the duty of the keeper of said county jail to receive such persons as shall be brought to his custody by authority of any justice of said city, or of any officer of said city authorized to commit such persons.

Fees of justices
of the peace.

SEC. 65. The justices of the peace of said city, when engaged in cases for the violation of the ordinances of said city, shall collect the same fees for their services as are allowed by law to justices of the peace in criminal cases, which fees and costs shall be paid into the city treasury as in this act provided.

Fines and pen-
alties to be paid
into treasury.

SEC. 66. All fines, penalties, forfeitures, and costs, recovered before such police justice of said city for violation of any ordinances [ordinance], by-law or regulations [regulation] of the city of Adrian, and all fines, penalties and forfeitures recovered before any justice of the peace of said city, for violation of any of the penal laws of this state, when collected and received by him, and all moneys received by

him for and on account of any of the fines, penalties or forfeitures above mentioned, shall be paid over by such justice of the peace to the city treasurer on the first Monday of the month next succeeding the day when such moneys were so received. And every justice of the peace of said city shall report on oath to the common council at the first regular meeting thereof in each month during the term for which he shall perform the duties of such justice, the number and name of every person against whom a judgment shall have been rendered for any of the fines, penalties or forfeitures in this section mentioned, and the amount of all moneys received by him on account thereof, or on account of any such suit, prosecution or proceeding to recover any such fine, penalty or forfeiture.

Justices to report to common council monthly.

SEC. 81. The sessions of the common council shall be public, and full minutes of the proceedings shall be kept by the recorder, and the same shall be open at all times for public inspection, and together with all ordinances, resolutions, by-laws, and regulations adopted, shall be published within one week after such sessions in at least one newspaper printed and published in said city, and said proceedings of the council shall be so published in a daily newspaper of said city, provided the same can be so published at an expense not exceeding two hundred dollars, nor less than one hundred dollars in any one year.

Sessions of council to be public and proceedings to be published.

SEC. 92. Said common council may borrow for the time being, in anticipation of receipts from taxes, such sum as may be necessary for the purpose of defraying the current expenses of the city, and working on streets and bridges to an amount not exceeding the amount of money previously levied for such purposes (in any one year, and to issue the bonds of the city therefor) and at a rate of interest not exceeding eight per cent per annum. All moneys raised under and by virtue of the provisions of this section shall be regarded as temporary loans, and all bonds issued for such temporary loans shall be made payable on or before the first day of January next succeeding the date such loan was made and shall be paid out of the receipts from taxes for that year.

Council may borrow money in anticipation of taxes.

SEC. 95. All fines, penalties, forfeitures, and costs recovered or collected for a violation of any ordinance, by-law or regulation made or passed by the common council of said city, and all fines, penalties and forfeitures recovered, collected or received by any officer of said city, for a violation of any law of this state, shall be paid to the treasurer of said city by the officer receiving the same, immediately after the receipt thereof; and any officer or person who shall neglect or refuse to pay the same as aforesaid, shall be deemed guilty of misdemeanor, and upon conviction thereof shall be punished by a fine not less than one hundred dollars, nor more than five hundred dollars, or by imprisonment in the county jail not less than three months, nor more than one year, or by both fine and imprisonment in the discretion of the court: *Provided*, That in case the officer receiving such moneys shall be a justice of the peace, he shall pay over the same at the times mentioned and provided in section sixty-six of this act, and all fines and penalties

Fines, how disposed of.

Penalty for neglect to pay over fines.

Provido.

Annual settle-
ment of accounts
against city.

General state-
ment to be pub-
lished in daily
paper.

Statement, how
signed and filed.

Supervisors to
levy and collect
taxes.

Fees of supervi-
sors.

for the violation of the penal laws of this state, when paid into the treasury, as aforesaid, shall be disposed of as now provided by law.

SEC. 100. Within twenty days and not less than ten days before the annual city election, in each year, the common council shall audit and settle the accounts of the city treasurer, and the accounts of all other officers and persons having claims against the city, or accounts with it, and which shall not have been audited previously; and shall make out a statement in detail, of the receipts and expenditures of the corporation during the preceding year, in which statement shall be clearly and distinctly specified the several items of expenditure made by the common council, the object and purpose for which the same were made, and the amounts of money expended under each; the amount of taxes raised for the general contingent expenses; the amount raised for lighting and watching (watering) the city; the amount of highway taxes and assessments for opening, paving, planking, graveling, repairing, altering, and grading streets, and building and repairing bridges; the amount of money borrowed on the credit of the city, and the terms on which the same was obtained, and shall in such statement include a correct and full account of the indebtedness of said city in bonds, temporary loans [loan], or otherwise, and which statement shall correctly state the increase or decrease of the city debt during the year ending with such statement, and if such debt [debts] shall have been increased during the year, such statement shall show what such increased debt was incurred for and by what vote or authority it was incurred [increased], and shall also show how much and what part of such debt is due upon bonds, and how much upon temporary loans—when and to whom due, and the rate of interest paid on every part thereof, and such other information as shall be necessary to a full understanding of the financial concerns of the city; and shall publish said statements [statement] in a daily newspaper, if there be one in said city, at least one week before such annual city election.

SEC. 101. The said statement shall be signed by the mayor and recorder of said city, and filed with the papers in the city recorder's office; the same shall be published by the recorder at the expense of the city, in some daily newspaper thereof, to be designated by the common council, within ten days after such annual election.

SEC. 103. The supervisors of the several wards are hereby authorized and required to perform the same duties in their respective wards that the supervisors of townships, under the general laws of this state, are required to perform in relation to the assessing of property and levying taxes for state, county, school, and other purposes, and for such services they shall receive not to exceed the sum of one hundred and fifty dollars each as may be determined by resolution of the common council of said city for each official year, said sum to be full compensation for all services performed by the several supervisors of the several wards for the city, and to be paid out of the general fund of the city. For all other services performed for and to be paid for by the county they

shall receive the same fees as supervisors are entitled to; they shall also represent their several wards in the board of supervisors of the county of Lenawee, and shall be entitled to all the rights, privileges, and powers of the members of said board of supervisors. For the purpose of assessing all property equally in the whole city, the said supervisors shall meet jointly at the office of the city recorder, at the time required by the statute, for the purpose of reviewing, equalizing, and completing their assessments and assessment rolls for each of their several wards. When such assessment rolls shall be completed, they shall be delivered to the city recorder, who shall immediately proceed to make therefrom a full and complete condensed copy of such assessment rolls, for the use of the common council; such copy shall be completed, and within fifteen days after receiving the same the said recorder shall redeliver said rolls to the respective supervisors of each ward.

To represent
wards on board
of supervisors.

Reviewing
assessment.

Assessment roll
to be delivered
to recorder, etc.

SEC. 105. The common council shall have power to assess and collect from every male inhabitant of said city, over the age of twenty-one years (except paupers, idiots, and lunatics), a list of whom shall be made by the supervisors at the time of making their annual assessments, an annual capitation or poll tax, not exceeding one dollar, and they may provide by ordinance for the collection of the same: *Provided*, That such poll tax shall not be levied upon any person who is assessed for one hundred dollars of real or personal estate.

Poll tax.

SEC. 106. The common council shall have power and authority to raise annually, by tax upon the real and personal property in said city liable to taxation, such sums, not exceeding in any one year two per cent of the assessed valuation of the property in said city for the year, as they may deem necessary to defray the expenses and liabilities incurred by said city or to carry into effect the powers hereby conferred on them, and they shall, on or before the first day of October in each year, determine, by resolution, the amount of taxes necessary to be levied for city and highway purposes during the year.

Tax for city
expenses.

SEC. 110. The supervisor of each ward shall complete the tax-roll of such ward and deliver the same to the city recorder for collection, with the respective taxes for state, county, school, city, and highway purposes levied and specified therein, as is required by this act and the laws of this state, within the time required by law for the completion and delivery of the township tax-rolls to the respective township treasurers of this state, and shall annex to such roll his warrant to the city recorder for the collection thereof, stating therein the sum to be raised for the city and highway purposes and the several amounts to be paid into the city and county treasuries respectively, and commanding the city recorder to collect from the several persons named in said roll the several sums mentioned in the last column thereof, opposite their respective names, together with a percentage of six per centum upon the amount of every tax remaining unpaid on the first day of January then next, for the charges for the collection of the same, and to pay over and account for all moneys so collected and specified in said roll as directed in

Rolls to be de-
livered to re-
corder for col-
lection.

Warrant to be
annexed to roll.

said warrant, on or before the first day of February then next, and the said warrant shall authorize the said recorder, in case any person shall neglect to pay his tax, to levy the same by distress and sale of the goods and chattels of every such person.

Notice by recorder, how given.

SEC. 111. Upon receiving the several ward tax-rolls for the year from the supervisors of the several wards, the city recorder shall immediately give notice to the tax-payers of said city that such rolls have been delivered to him and that the taxes therein specified can be paid to him at his office any time before the first day of January thereafter, without any charges or percentage for the collection thereof, but that six per centum will be added to all unpaid taxes on the said first day of January then next, which notice shall be given by publishing the same twice in each of the daily newspapers in said city and by posting the same in three public places in each ward of said city, and proof by affidavit of the publishing and posting of such notices shall be filed in the office of the city recorder, and it shall be the duty of the city recorder to be at his office at such times previous to the said first day of January as the common council shall direct and there receive payment for such taxes as may be offered to him.

Proof of publication.

Percentage to be added to unpaid taxes.

SEC. 112. On the first day of January next after the receipt of said several tax-rolls by said city recorder, he shall add to each unpaid tax a percentage of six per centum of the amount thereof, as stated in the tax-rolls, and the amount of the tax, with said addition, shall henceforth be the unpaid tax, and thereupon the said recorder shall proceed to collect said taxes remaining unpaid, and shall call once upon each person whose taxes remain unpaid, if a resident of the city, and demand payment of the taxes, including said percentage charged to him on said roll, and in case of his neglect to pay the same the recorder shall levy and collect the same by distress and sale of goods and chattels of every such person, wherever found within said city, and may take any property that can be taken by township treasurers in the collection of taxes, and he shall give the same notice, and sell and dispose of any surplus in the same manner as township treasurers are required to do. All sums added to unpaid taxes as percentage as aforesaid shall, when collected, be paid into the city treasury, to be disposed of as the common council shall direct, and all fees collected by the recorder on sales of personal property for the payment of any tax, shall also be paid into the city treasury as aforesaid.

Recorder to collect unpaid taxes.

Return of unpaid taxes to county treasurer.

SEC. 113. Said city recorder shall make returns to the county treasurer of the county of Lenawee, of all taxes remaining unpaid upon said several tax rolls, within the same time and in the same manner as township treasurers are required by law to make similar returns. For the purpose of assessing and levying taxes in said city for state, county, and school purposes, each ward shall be considered the same as a township; and all provisions of law relative to the collection of taxes levied in townships shall apply to the collection of taxes levied and assessed by the supervisors of said city, in the several ward tax rolls of said city, except as herein otherwise provided. For the purpose of collecting taxes, and for the

Provisions for collection of taxes.

return of property for the non-payment of taxes, the city recorder shall perform the same duties and have the same powers as a township treasurer, except as hereinafter [herein] otherwise provided; and all provisions of law respecting the return and sale of property for the non-payment of taxes for state, county, and township purposes, shall apply to the return and sale of property for the non-payment of all taxes levied in said city, except as herein otherwise provided.

SEC. 114. The city recorder shall, within the time specified in the warrants annexed to said several tax rolls, pay into the city treasury, out of the moneys collected by him on said rolls, the amounts specified in said several warrants, to be paid into the city treasury for city, highway, library, and school purposes, as in such warrants specified; and shall, within one week after the time specified in said warrants for paying the money directed to be paid to the county treasurer, pay to said county treasurer the sums required in said warrants, either in delinquent taxes, or in funds then receivable by law. And all the provisions of law respecting delinquent taxes in townships shall apply to all taxes levied in said city, which shall be returned as delinquent to the county treasurer; and the said city, in respect to the taxes therein which shall be returned as delinquent to the county treasurer, shall be considered and treated by the county treasurer, the same as a township, except as herein otherwise provided.

Recorder to pay certain money into city treasury.

Return of delinquent taxes.

SEC. 115. When any special assessment for public improvements, or for any local improvements upon any ward, district, street, lane, alley, public sewer, or other improvement, shall have been made, as in this act provided, and the tax roll for the same shall have been delivered to the recorder for collection, the same shall be a lien upon the premises upon which the same was assessed; and the recorder collecting such tax, shall levy and collect the same of any personal property found on the premises so assessed, or in possession of the person chargeable with such tax; and in case sufficient personal property shall not be found to levy and collect the same, the recorder shall make returns to the common council of the sums so remaining uncollected by him, with a description of the lots or parcels of land upon which such tax was assessed, and which remain [remains] unpaid as aforesaid, and thereupon the common council shall cause the same to be reassessed upon said premises in the tax roll of the proper ward next thereafter to be made by the supervisor thereof, and the same shall thereupon be collected and returned, and the same proceedings had for the collection and return thereof, and for the sale of such premises for the non-payment of such tax as is provided by law for the collection, return, and sale of premises for non-payment of the ordinary city taxes.

Special assessments a lien on property and how collected.

Sale of premises.

SEC. 117. The common council shall have power and is authorized to construct reservoirs wherever needed, and to provide for supplying the same with water, to build bridges, to construct sewers, drains and culverts, to provide wells, to grade, gravel, pave, repair, amend, and otherwise improve the streets, lanes, alleys, public grounds and parks in said city, to construct, repair and

Powers of council as to reservoirs, bridges, public grounds, streets, etc.

Proviso.

Moneys raised for particular purpose not to be applied to any other.

Unexpended balance to be carried to general fund.

renew sidewalks, to remove all encroachments and encumbrances from any street, sidewalk, public ground or place in said city, and may fill up, drain, cleanse, and regulate any grounds, yards, basins, slips, cellars or vaults within said city, that may be sunken, damp, foul, encumbered with rubbish or unwholesome, and to make such other public improvements as may conduce to the general good and prosperity of the city, or of any part thereof, and may provide that the whole or any part of the expense incurred for any of the purposes aforesaid, shall be paid by a general city tax: *Provided*, That said common council shall have no power to incur any expense for any work named in this section (except in case of injury or destruction by sudden calamity), unless the money to pay for such work is in the city treasury, or shall have been levied as taxes to be paid in the current year in which such work is done, or unless the question of such expenditure shall have been first submitted to the qualified electors of said city at an election called for that purpose and approved by a majority of all the voters at such election: *And provided further*, That any moneys raised or levied for any particular fund or purpose shall not be diverted to any other fund, nor used for any other purpose than that for which it was raised or levied; except that at the end of each fiscal year such balance as may be in any fund unexpended, and not required for the purpose for which it was raised, may be carried to the general fund and used for any necessary expenses of the city, or in payment of the city debt: *And provided further*, That no money shall be expended or expense incurred, unless the same shall first have been authorized by a vote of the common council.

SEC. 2. This act shall take immediate effect.

Approved April 3, 1879.

[No. 341.]

AN ACT to amend sections four and seven of act number three hundred and four of the session laws of eighteen hundred and sixty-nine, entitled "An act to incorporate the village of Orion," and to add a new section thereto, to stand as section twenty-nine.

Sections amended.

SECTION 1. *The People of the State of Michigan enact*, That sections four and seven of act number three hundred and four of the session laws of eighteen hundred and sixty-nine, entitled "An act to incorporate the village of Orion," be and the same is hereby amended so as to read as follows:

Board of registration.

Session of board.

SEC. 4. The recorder of said village and two of the trustees, to be appointed by the common council for that purpose, shall be the village board of registration. On the Saturday previous to the day of holding any annual or special election, and on any other days that the village council may appoint, the board shall be in session for the purpose of completing the registration of the electors of the village, and the said board shall proceed in the same manner and conform to the same rules, as near as may be, as are provided

by law for registering electors in townships. It shall be the duty of the recorder of said village to give at least five days' notice, in writing, by posting the same in at least three public places in said village, of the time and place of holding said sessions of the board of registration, and of the time and place of holding each election; and as soon as practicable, and within five days after closing the polls at any election, to notify the officers, respectively, of their election; and the said officers so elected and notified as aforesaid shall, within ten days after receiving a copy of such notice, take and subscribe the oath of office prescribed by the constitution before the recorder or any other person authorized to administer oaths, and file the same with the recorder of said village; and every person offering to vote at any such election before he shall be permitted to vote shall, if required by any elector of said village, take an oath complying with the constitutional qualifications of an elector, as required by article seven, section one of the constitution of this state, and as required by the laws of this State; and the president or recorder of said village is hereby authorized to administer the oath to electors contemplated by this act; and any person who shall knowingly and falsely take such oath, shall be deemed guilty of perjury, and on conviction thereof shall be liable to the same fines and penalties as are provided for the punishment of that crime by the laws of this state.

Notice of registration.

Qualification of officers.

SEC. 7. The inhabitants of said village shall be liable to the operation of any and all general laws, not inconsistent with this act, relating to the township government, except so far as relates to the streets, alleys and highways heretofore platted or laid out in said village, and to the construction, laying out, altering and discontinuing of streets, alleys and highways therein, and the labor to be performed thereon within the limits of said village; and the common council of said village shall have full power, control and authority over all such streets, alleys and highways in said village, and the highway labor to be performed thereon within the limits thereof: *Provided*, That all bridges now built, or that may be hereafter built across Paint Creek or the mill-race, as township bridges, within the territory described in section one of this act, shall be built, maintained and kept in repair by the township of Orion at large.

Inhabitants to be liable to operation of township laws.

Proviso as to bridges.

SEC. 2. That there shall be added to said act a new section, to stand as section twenty-nine, and to read as follows:

New section added.

SEC. 29. The survey of the streets and highways in the village of Orion, as heretofore made and established by Julian Bishop, county surveyor of Oakland county in eighteen hundred and seventy-seven, and recorded in the office of register of deeds for said county, be and the same is hereby established as the commencing point, course, distance and boundary lines of all streets and highways in said village, surveyed and recorded as aforesaid.

Survey of streets established.

SEC. 3. This act shall take immediate effect.

Approved April 3, 1879.

[No. 342.]

AN ACT to authorize the township of Sault Ste. Marie, in the county of Chippewa, to borrow money for the purpose of paying any judgment that has been or may be rendered against said township, and to issue bonds for the payment of the same, and for the payment of the highway indebtedness of the said township.

Township board
authorized to
borrow money

SECTION 1. *The People of the State of Michigan enact*, That the township board of the township of Sault Ste. Marie, in Chippewa county, is hereby authorized and empowered to borrow a sum of money not exceeding thirteen thousand dollars, on the faith and credit of said township, and issue its bonds therefor, payable at a time or times not exceeding fourteen years from the date thereof, and a rate of interest not exceeding seven per cent per annum, which money shall be expended for the payment of any judgment that has been, or that shall hereafter be rendered against said township, and for the payment of any highway indebtedness of said township which has been heretofore legally contracted: *Provided*, A majority of the legal voters of said township vote in favor thereof as provided in section six of this act.

Rate of interest.

Proviso.

Board to provide
by tax for
interest.

SEC. 2. It shall be the duty of the said township board of said township to provide by tax for the payment of the interest accruing on said bonds as it shall become due, which tax shall be in addition to, and shall be levied and collected in the same manner as the taxes which the township board now is or may hereafter be authorized to levy; and it shall be the duty of the township board of said township to provide for the payment of said bonds at the maturity thereof, by tax upon the taxable property of said township as now organized, and, in case of a division of the territory and property of said township by the organization of other townships, before the interest and principal of the said bonds are paid, then and in such case such subdivision or subdivisions of said territory shall pay their pro rata share, according to their relative valuation of property.

Payment of
bonds to be pro-
vided for by tax.

Provision in case
territory is
divided.

Bonds to be
issued at par
value.

SEC. 3. The said township board shall not issue the said bonds for the payment of any judgment or debt, as aforesaid, except for their full face value or at par, and only upon the vote of a full board, and a unanimous vote in favor of said issue and for a liquidated indebtedness, allowed by the said board, by a unanimous vote thereof.

When interest
payable.

SEC. 4. The interest on said bonds shall be made payable annually, and payable on the first day of March.

When board
shall not issue
bonds.

SEC. 5. The said township board shall not issue any bonds, under the provisions of this act, after the first day of December, eighteen hundred and seventy-nine.

Question to be
submitted to
legal voters.

SEC. 6. The question of issuing the bonds provided for in section one of this act shall be submitted to the legal voters of said township on Monday, the second day of June, eighteen hundred and seventy-nine, at a special township meeting held for that purpose, which said township meeting shall be held at the place of holding

the annual township meeting in said township on the first Monday of April, eighteen hundred and seventy-nine. At least twenty days' notice of such special township meeting shall be given before the first Monday of June, eighteen hundred and seventy-nine, by posting a written notice thereof in four public places in said township and publishing the same in a newspaper in Chippewa county, if there is any paper printed and published therein. The said special township meeting shall in every respect be conducted as annual township meetings are now required to be conducted by law, and the electors voting in favor of the issuing of said bonds shall have written or printed or partly written and partly printed on their ballots the words "For issuing township bonds,—Yes," and those voting against issuing such bonds shall have written or printed or partly written and partly printed on their ballots the words "For issuing township bonds,—No;" and if upon canvassing such ballots it shall be found a majority of said ballots have written or printed or partly written and printed upon them the words "For issuing township bonds,—Yes," then said township board shall be authorized to issue the bonds of said township as provided for in the first section of this act.

Notice of special township meeting.

How conducted.

Form of ballot.

SEC. 7. This act shall take immediate effect.

Approved April 4, 1879.

[No. 343.]

AN ACT to authorize the board of health of the township of Pentwater, Oceana county, state of Michigan, to remove and re-inter all the dead bodies and remains buried in cemetery on block thirty-six of the village of Pentwater, Oceana county, to cemetery located on southwest quarter of southeast quarter section number eleven, town sixteen north of range eighteen west.

SECTION 1. *The People of the State of Michigan enact*, That the board of health of the township of Pentwater, Oceana county, state of Michigan, be and are hereby authorized and empowered to remove or cause to be removed all the dead bodies and remains buried in cemetery located on block thirty-six of the village of Pentwater, Oceana county, state of Michigan, according to the recorded plat of said village, and cause the same to be re-interred in the cemetery now owned by the board of health of said township located on the southwest quarter of the southeast quarter of section eleven, town sixteen north of range eighteen west, Oceana county, in a prudent, careful and respectful manner, and shall cause to be removed and again erected over the proper remains all permanent fences around graves and lots, all tombstones and monuments, with as little injury as the case will admit: *Provided*, That no removal of said bodies and remains shall be made during the months of June, July, August or September. Such removal

Board of health may remove dead bodies.

To be re-interred in new cemetery.

Proviso.

Expense to be
paid by town-
ship.

and the cost [costs] of all proceedings under this act shall be at the expense of and paid by the township of Pentwater aforesaid.

SEC. 2. This act shall take immediate effect.

Approved April 14, 1879.

[No. 344.]

AN ACT to amend act number three hundred and seventy-two of the laws of eighteen hundred and sixty-seven, entitled "An act to revise the charter of the city of Flint," approved March twentieth, eighteen hundred and sixty-seven, as amended by act number two hundred and twenty-eight of the laws of eighteen hundred and seventy-one; act number twenty-one of the laws of eighteen hundred and seventy-two; act number two hundred and twelve of the laws of eighteen hundred and seventy-three; and act number two hundred and ninety-eight of the laws of eighteen hundred and seventy-seven.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That sections five, twenty-two, twenty-five, twenty-six, and twenty-seven of act number three hundred and seventy-two of the laws of eighteen hundred and sixty-seven, entitled "An act to revise the charter of the city of Flint," approved March twentieth, eighteen hundred and sixty-seven, and acts amendatory thereof, be amended so as to read as follows:

Election of ward
officers.

SEC. 5. There shall be elected at the same time, in and for each of the wards in said city, one supervisor, one street commissioner and one constable, who shall hold their offices one year, and until their successors shall be elected and qualified; and one alderman, who shall hold his office two years, and until his successor shall be elected and qualified. The supervisors shall be assessors for their respective wards, and shall perform all the duties and be subject to all the liabilities of township supervisors in respect to the assessment of property in their respective wards, and the disposition to be made of their assessment rolls, except as otherwise provided in this charter. In making the assessment rolls of the several wards in said city, the said supervisors shall assess all lands which have not been platted and which are used only as farming lands, according to the value of such lands for farming purposes.

Supervisors to be
assessors.

Annual city tax.

SEC. 22. For the purpose of defraying the general expenses and liabilities of said city, the common council may cause to be raised annually by tax upon the real and personal property within said city, such sums as they may deem necessary, not exceeding one per cent of the valuation of such real and personal property within the limits of said city, according to the valuation thereof as shall appear on the assessment rolls for the year, as equalized by the city board of equalization and review; which sums, including the "bridge tax," so called, the council shall vote to raise on the first Monday of June in each year, or as soon thereafter as practicable.

Highway tax.

And the common council, in addition thereto may cause to be

raised in each ward respectively, such amount of taxes for street or highway purposes as they may deem necessary, not exceeding one-half of one per cent on the valuation of real and personal property within said city, which highway taxes shall be levied, assessed and collected on the same rolls as the State and county taxes; but all such street or highway taxes shall be passed to the credit of, and be expended in the ward in which the same may be collected, for street or highway purposes, and not otherwise; and no part of such highway fund shall be used for paving streets. All bridges within the limits of said city shall be built and kept in repair at the expense of said city. The common council of said city is hereby authorized to cause to be raised, in addition to all other taxes, a sufficient amount of tax annually for that purpose, which shall be known as the "bridge tax," and shall be used for no other purpose.

Bridges.

SEC. 25. The supervisors of said city shall, in each and every year, make and complete the assessment of all the real and personal property within their respective wards, in the same manner and within the same time as required by law for the assessment of property in the several townships of this State, and, in so doing, shall conform to the provisions of law governing the actions of supervisors of the several townships of this State performing like services, except as otherwise provided in this act; and all State and county taxes, and also that part of the school tax necessary to be raised to pay and discharge the bonded debt of union school district of the city of Flint, including also, the two-mill tax, and such special taxes as may be voted by the school district and the highway taxes aforesaid, shall be levied and collected, as near as may be, in the same manner as is provided by law for the assessment and collection of taxes by township officers, unless otherwise provided in this act.

Supervisors to make annual assessment.

SEC. 26. The common council shall apportion all general city taxes to the several wards, and shall also designate the amount of street or highway taxes which shall be assessed and collected in each ward respectively, and the supervisors of said city shall, within the time within which supervisors of townships are required to perform like acts, deliver to the treasurer of said city their several tax rolls, with the State and county taxes, and that part of the school tax necessary to be raised to pay and discharge the bonded debt of union school district of the city of Flint, including the two-mill tax, the special school district tax, and also all highway taxes extended thereon, with a warrant, in the usual form of a supervisor's warrant to a township treasurer, thereto attached, directed to the treasurer of the city of Flint; and any person who shall, on or before the first day of January next ensuing, pay his or her tax to the treasurer, shall pay one per cent thereon, in addition thereto, for collection. After the said first day in January, the said treasurer shall proceed to collect the unpaid taxes on said rolls, with four per cent in addition thereto for collection, and make return thereof in like manner as is required by township treasurers, and with like effect; and for this purpose, the treasurer

Apportionment of taxes to wards.

Rolls to be delivered to city treasurer.

Warrant.

Collection of taxes.

of said city is hereby invested with and shall possess all the powers, and perform all the duties of township treasurers, in collecting all taxes on said rolls remaining unpaid after said first day in January, and also in making returns of unpaid taxes. The supervisors of said city shall, on or before the fourth Monday of June, in each year, make and deliver to the treasurer of said city their several tax rolls, with the taxes levied and raised for the purpose of defraying the general expenses and liabilities of the city, including the "bridge tax" and also the school tax, excepting that part raised for the purpose of paying the bonded debt of the school district, and the two-mill tax, and any special taxes that may be voted by the school district, thereon extended, with a warrant, as near as may be in the form prescribed in this section, thereto attached, made returnable in forty days from the date thereof, directed to the treasurer of the city of Flint; and any person who shall, on or before the expiration of said forty days, pay his or her tax to the treasurer, shall pay one per cent thereon in addition thereto, for collection. If, on account of any irregularity or informality of said rolls, or any of them, or for any other reason any of the taxes mentioned in the tax-roll annexed to his warrant shall remain unpaid, and the said treasurer shall be unable to collect the same, for any reason, he shall make out a statement, in detail, of the taxes so remaining unpaid and due, with the name of the person or persons delinquent, with a full and perfect description of the premises, from his tax-roll, upon which the taxes shall not have been paid, and the amount and kind of unpaid, and he shall submit the same to the city clerk. The city clerk shall immediately compare such statement with the tax-roll in the hands of such city treasurer, and, if he finds it to be correct, he shall add to it a certificate showing that he has examined and compared such statement with the tax-roll in the hands of such treasurer, and found it correct, and shall file such statement, so certified, in his office. Upon making an affidavit to be annexed to such statement, before the city clerk or any officer authorized to administer oaths, that the sums mentioned in such statement remain unpaid, and that he has not, upon diligent inquiry, been able to discover any goods or chattels belonging to the person charged with or liable to pay such sums whereon he could levy the same, the city treasurer shall be credited by the city clerk with the amount thereof, but no commission shall be allowed him on the same, and said city treasurer shall thereupon return said tax-roll and warrant to the city clerk, with his affidavit thereto annexed, stating the amount of the several taxes collected on said roll, and shall pay to the treasurer of union school district of the city of Flint so much of said school taxes as he shall have collected, and shall credit back to the several city funds on the books of said city treasurer the amount of taxes collected for each fund respectively. It shall also be the duty of the city clerk, on or before the fifteenth of October, in each year, to certify to the respective supervisors of the city the several amounts of such unpaid taxes in their respective wards, for what purpose levied, and the names of the persons, and the descrip-

Return of tax
roll.

Payment of tax.

Return of taxes
unpaid.

Duty of city
clerk as to un-
paid taxes.

tions of the premises assessed and chargeable with such unpaid taxes; and said supervisor shall assess such unpaid taxes on such premises, or against such persons, in red ink, and in a separate line or column, or in some other manner as to clearly distinguish the same in the general roll for the collection of state and county taxes, with a penalty of fifteen per cent in addition thereto, and such taxes shall then be collected and returned, and the premises may be sold for non-payment thereof, as provided by general law for the non-payment of delinquent taxes.

SEC. 27. The supervisors of said city, the city attorney and city clerk, shall constitute a board of equalization and review of the general assessment rolls of the several wards of said city; they shall have power, and it shall be their duty, to examine said assessment rolls and correct any errors found therein, and, on cause shown, to reduce or increase the valuation of any property found on said rolls, and to add thereto any taxable property in said city that may have been omitted, and to value the same. If on such examination they shall deem the valuations of the several wards to be relatively unequal, they shall equalize the same by adding to or deducting from the valuation of the taxable property in the ward or wards such an amount as, in their judgment, will produce relatively an equal and uniform valuation of the real estate in the city. They shall, unless otherwise directed by the common council, meet on the fourth Monday of May in each year, at ten o'clock in the forenoon, of which time and place notice shall be given by said council at least two weeks prior to the time of meeting, by publishing a notice thereof in the official newspaper of said city, and also by posting the same in three public places in each ward of said city; and shall continue in session at least three days successively, and as much longer as may be necessary, and at least six hours in each day during said three days or more; and any person or persons desiring so to do may examine his, her, or their assessment on said rolls, and may show cause, if any exists, why the valuation thereof should be changed, and said board shall decide the same, and their decision shall be final. They shall keep a record of their proceedings, and all changes made in said rolls, and the amount added to or deducted from the valuation in each ward shall be entered upon such record, and the record shall be deposited with the city clerk, who shall be clerk of said board, and the decision of the majority of the members of said board upon all questions shall govern.

Board of equalization.

Meeting of board.

Notice of meeting.

Sessions of board.

Board to keep record of proceedings.

SEC. 2. This act shall take immediate effect.

Approved April 15, 1879.

[No. 345.]

AN ACT to reincorporate the village of Grass Lake.

SECTION 1. *The People of the State of Michigan enact, That* all that tract of country situate within the township of Grass Lake, in the county of Jackson, described as follows, to wit: Beginning

Territory incorporated.

at a point where the Brooklyn road intersects with the Territorial road; thence south along the west line of said Brooklyn road to the southwest corner of the north part of the northeast quarter of section five; thence due east to the center of the west half of the northeast quarter of section four; thence due north to the Michigan Central railroad; thence along the line of said railroad to a point where the said railroad intersects with the Portage road; thence north along the east line of said Portage road to the north line of the southwest quarter of the northwest quarter of section thirty-three, town two south range two east; thence west along said line to the east shore of Grass Lake; thence in a southwesterly direction along the east shore of Grass Lake to a point due north of the place of beginning; thence due south to the center of Territorial road, being the place of beginning, comprising the north part of the northeast fractional quarter of section five, the north part of the northwest fractional quarter section four, the northwest quarter of the northwest quarter of the northeast quarter section four, the west half of the west half of the southeast quarter of section thirty-three, the southwest quarter of section thirty-three, the southwest quarter of the northwest quarter of section thirty-three, the southeast quarter of section thirty-two, and the south half of the northeast quarter of section thirty-two, shall be and the same is hereby reincorporated as the village of Grass Lake.

Name.

Ordinances, etc.,
to continue in
force.

Officers to con-
tinue in office.

Incorporated
under law of
1876.

To possess rights,
property, etc., of
former corpo-
ration.

SEC. 2. All the by-laws and ordinances of said village now in force are continued in force until the same shall be changed or repealed according to law.

SEC. 3. The officers of said village now holding office shall continue in office for the term for which they were elected, and until their successors shall be elected and qualified in accordance with the general law relating thereto.

SEC. 4. The said village of Grass Lake is hereby made subject to the provisions of an act entitled "An act granting and defining the powers of incorporated villages," approved April first, eighteen hundred and seventy-five, and acts amendatory thereof; and the said hereby reincorporated village shall possess all the rights and powers, and be subject to all the duties and liabilities prescribed in said above mentioned act.

SEC. 5. The village of Grass Lake hereby reincorporated shall possess all the rights and property, and be subject to the liabilities and obligations of the said village as heretofore incorporated.

SEC. 6. This act shall take immediate effect.

Approved April 16, 1879.

[No. 346.]

AN ACT to amend an act entitled "An act to consolidate Wenona, Banks, and Salsburgh, to be known as the city of West Bay City," approved May second, eighteen hundred and seventy-seven.

SECTION 1. *The People of the State of Michigan enact, That*

an act entitled "An act to consolidate Wenona, Banks, and Salsburgh, to be known as the city of West Bay City," approved May second, eighteen hundred and seventy-seven, be and the same is hereby amended by adding to title two a new section to stand as section ten, by amending sections thirty-nine and forty-two of title five, by amending section four of and adding two new sections to title thirteen to stand as sections seventeen and eighteen of said title, and by amending section ten of title fourteen so as to read as follows:

Act and sections amended.

TITLE II.

SEC. 10. On the Saturday next preceding the day for holding any general, special, or charter election in said city the boards of registration of the several wards of said city shall be in session at such places in their respective wards in said city as the common council shall designate, for the purpose of revising and completing the lists of qualified voters entitled to vote at the election then next ensuing, during which sessions it shall be the right of each and every qualified voter then actually residing in said city and whose name is not already registered in the ward in which he resides to have his name entered in the register of said ward, on appearing before the board and making application therefor. Notices that such meetings for revising and completing the registers shall be given in the same manner and the same rules shall be observed in such sessions as are provided therefor by the laws of this State for annual registration in cities except as in this act otherwise provided.

Sessions of board of registration.

Notice of meeting.

TITLE V.

SEC. 39. The superintendent of schools and the school inspectors of the city shall perform such duties in and for the city and for the public schools as are required of superintendents of schools and school inspectors elected in townships, so far as their duties are applicable or shall be required under this act, and they shall receive the same compensation therefor as similar officers in townships subject to the limitations in this act.

Duties of superintendent and inspectors of schools.

SEC. 42. Compensation for the services of officers may be paid out of the city treasury in such sums as the common council shall allow: *Provided*, That the recorder shall not receive to exceed four hundred dollars annually besides his pay as member of the board of supervisors; the city attorney not to exceed two hundred dollars annually; and the mayor and alderman not to exceed fifty cents each for each meeting of the common council which they may attend, and the sum of two dollars each per day while serving on the board for reviewing assessment rolls, and they shall receive no other pay, compensation, or allowance whatever. The marshal shall be entitled to receive the same fees for serving process in behalf of the corporation as constables are by law allowed for like services in townships and he shall receive such further compensation as the common council shall allow, not exceeding three hun-

Compensation of officers, how paid.

Recorder, city attorney, mayor and aldermen.

Marshal.

Treasurer, justices and constables.	dred dollars annually. The treasurer, justices of the peace, and constables shall be allowed the same fees as are by law allowed to corresponding township officers for like services, except as may be in this act otherwise provided. The compensation of the super-
Supervisors.	visors of the several wards shall be fixed by the common council, but shall not exceed sixty-five dollars each annually for the supervisors of the first and third wards and one hundred and thirty dollars annually for the supervisor of the second ward, which salary shall be in lieu of all compensation for services as such supervisors, said amounts to be paid by the wards which they respectively represent. The superintendent of schools shall receive such compensation as is provided in this act, not exceeding fifty dollars annually. The other officers that may be appointed by the common council may receive such compensation as the common council shall allow, provided that the harbor master shall not be allowed a compensation to exceed one hundred dollars per year, and the street
Superintendent of schools.	commissioner of the several wards shall not be allowed a compensation to exceed one dollar and seventy-five cents per day for each day actually employed under the direction of the street committee or the aldermen of the respective wards.
Street commissioners.	

TITLE XIII.

Board of review of assessments.	SEC. 4. The supervisors, mayor and senior alderman of each ward shall constitute a board of review of assessments. On the third Monday in May said board shall meet at the office of the recorder, and there proceed to review and correct the assessments made by the supervisors in the several wards, and for that purpose said board shall have the same powers and perform the same duties in all respects, except attaching warrants, as supervisors of townships have in reviewing and correcting the assessments made by them. Said board shall continue in session not less than three nor more than five days, for the purpose of completing such review, during the first three of which any person interested may be present and make appeals, and be heard. Notice of the time and place of the meeting of said board for the purpose aforesaid shall be given by the recorder by publication in a newspaper published in said city, if one be published there; and if not in some paper published in Bay county, at least one week before the time for the review, and the said supervisors of the several wards shall place their several assessment rolls in the hands of the recorder of said city on the Saturday next preceding such review day, for the use of such board of review, and after such review is completed the recorder shall deliver said assessment rolls to the supervisors of the wards in which they were prepared, to be used by them in making the copies which are required by this act.
Term of session of board.	
Notice.	
Supervisors to place assessment rolls in hands of recorder.	
Levy and collection of taxes.	SEC. 17. All state, county and school taxes in said city shall be levied and collected, as near as may be, in the same manner as is provided by law for the assessment and collection of taxes in townships by township officers, and in case of the non-payment of such taxes, or any portion thereof, proceedings shall be taken for the

return, sale and redemption of real estate for non-payment of such taxes, in conformity with the proceedings for the return, sale and redemption of real estate in case of non-payment of taxes, as required by the laws of this state in townships, except as is in this act otherwise provided.

SEC. 18. The city treasurer shall proceed to collect the state, county and school taxes in said city, and pay over the amount collected, except school taxes, to the county treasurer, and return to the county treasurer a statement of the taxes remaining unpaid and due, in the manner provided by law for township treasurers; and all the provisions of the laws of this state relating to the collection of taxes by township treasurers and to paying over the same to the county treasurer, or to the returning by township treasurers to the county treasurer of a statement of the taxes remaining unpaid and due, are hereby made applicable to the treasurer of said city, except as may be in this act otherwise provided, and the tax-rolls for the years eighteen hundred and seventy-seven and eighteen hundred and seventy-eight are hereby legalized and declared as valid as if the supervisors had been authorized by law to make said rolls and extend the taxes thereon.

Treasurer to collect tax and return taxes unpaid.

Tax rolls legalized.

TITLE XIV.

SEC. 10. The recorder of said city of west Bay City is hereby empowered, under the direction of the common council thereof, to issue tax-deeds in the name and in behalf of the said city, for all certificates of sale of lands heretofore issued by either of the late villages of Banks or Wenona, by reason of the non-payment of taxes due thereon and not having been paid to either of said late villages, and said deeds when issued are hereby declared to be valid for all purposes, as though they had been issued by the proper officer of either of said late villages; the proceeds of such sale, when collected, to be by said recorder credited to the proper fund of the respective wards.

Recorder authorised to issue tax deeds.

SEC. 2. This act shall take immediate effect.
Approved April 17, 1879.

[No. 347.]

AN ACT to amend sections four and fifty-two and to repeal section fifty-three of act number two hundred and seventy-one of the session laws of eighteen hundred and seventy-seven, entitled "An act to incorporate the city of Dowagiac," approved March twenty-fourth, eighteen hundred and seventy-seven.

SECTION 1. *The People of the State of Michigan enact*, That section four and section fifty-two of act number two hundred and seventy-one of the session laws of eighteen hundred and seventy-seven, entitled "An act to incorporate the city of Dowagiac" be and the same are hereby amended to read as follows:

Sections amended.

First election.	SEC. 4. The first election of said city shall be held on the first Monday in April, in the year one thousand eight hundred and seventy-seven, at the engine house in the city of Dowagiac, and each year thereafter at such place as may be designated by the common council, and the following officers shall be elected: One mayor,
Officers elected.	one recorder or clerk, one treasurer, one supervisor, who shall be <i>ex officio</i> assessor, one collector, two justices of the peace whose terms of office shall be designated on the ballot, four constables, six
Term of office.	aldermen, and one marshal. The mayor, recorder, treasurer, supervisor, collector, one city marshal and four constables shall hold their office for one year; in the first election one alderman from each ward shall be elected for one year and one from each ward for two years, which term of office shall be designated on the ballot, and at each election thereafter one from each ward for two years; at the first election one justice of the peace shall be elected for two years, and one for four years, and in each alternate year thereafter one for full term of four years. Said justices of the peace shall qualify and enter upon the duties of their office within ten days after the first election and in the same time designated by law for township justices after each election thereafter. The following
Officers appointed.	officers shall or may be appointed by [the] common council, to hold their office at the pleasure of the common council: One city attorney, one health physician, two fire wardens, one poundmaster, one inspector and measurer of wood, one commissioner of cemeteries, one street commissioner, and such police force as may be necessary, and such other officers, assistants and agents as may be authorized by prior resolution of the common council. And the common council shall have power to regulate and prescribe the duties of such appointed officers and to fix the amount of their fees and all officers of said city shall qualify and enter upon the duties of their office within ten days after election, except as herein otherwise provided.
Notice where tax roll can be seen and taxes paid.	SEC. 52. The collector shall immediately after the receipt of the tax roll post up in the postoffice in said city, conspicuous handbills giving notice when and where the tax roll can be seen and taxes paid and a receipt therefor obtained at any time between nine o'clock in the forenoon and twelve o'clock noon, and from one o'clock until four o'clock in the afternoon during two certain days of each week of the month of December, Sundays and Christmas excepted, and the tax roll shall be kept at the place mentioned in such handbills, from nine o'clock in the forenoon until four o'clock in the afternoon, excepting one hour from twelve o'clock noon till one in the afternoon, during the days mentioned in said notices. And upon all taxes paid or tendered to him on such days or at any other time before the first day of January next thereafter, the collector shall add one per cent for collection fees, and upon all taxes collected by him after the said first day of January he shall add four per cent for collection fees, and for the purpose of collecting such taxes by the collector, such additional percentage shall be deemed and taken to be a part of the tax.
Per cent for collecting.	
Section repealed.	SEC. 2. Section fifty-three of act number two hundred and sev-

enty-one of the session laws of eighteen hundred and seventy-seven is hereby repealed.

SEC. 3. This act shall take immediate effect.

Approved April 18, 1879.

[No. 348.]

AN ACT to appropriate the non-resident highway tax, one mile on each side of the Isabella and Cedar River State road and to repair and finish the same.

SECTION 1. *The People of the State of Michigan enact*, That the highway commissioners of the township of Wise, in the county of Isabella, the township of Sheridan, in the county of Clare, and the township of Grout, in the county of Gladwin, be and are hereby authorized to repair and finish a state road commencing at the railroad station on the Flint and Pere Marquette railroad in the village of Loomis, and terminating at the village of Cedar, in the county of Gladwin, and known as the Isabella and Cedar River State Road. Commissioners authorized to repair and finish state road.

SEC. 2. For the purpose of repairing and finishing said road, there is hereby appropriated all the non-resident highway tax one mile each side of the line of said road (inclusive of the smallest subdivision of land) for the term of two years from the passage of this act: *Provided*, That where said road runs diagonally across a township or part of a township, only the non-resident highway tax of such sections as said road intersects or passes through, shall be included in such appropriation: *Provided*, That this act shall apply only to those highway districts through which said road passes. Appropriation of non-resident highway tax. Proviso.

SEC. 3. The state shall not be liable for any expenses sustained by reason of this act, but the townships through which said road passes shall pay said highway commissioners one dollar and fifty cents per day for their services, for the time necessarily and actually expended by them. State not to be liable for any expenses.

SEC. 4. Any overseer of highways or township treasurers of the counties of Isabella, Clare and Gladwin, having received any portion of such non-resident highway tax shall, on demand of the commissioners herein provided for, pay over to such commissioners any such sums of money, and said commissioner's receipt therefor shall release such overseer or treasurer from liability. Overseers and commissioners to pay over money collected.

SEC. 5. It shall be the duty of each of said commissioners to render to the boards of supervisors of their respective counties, at their annual sessions for the two years hereinbefore mentioned, a true account, on oath or affirmation, of the receipt and disbursement of all moneys received by them during each year from such townships respectively, and shall also make such report to the auditor general, on or before the first day of November of each year. Commissioners to render account to supervisors. Report to auditor general.

SEC. 6. Said highway commissioners, before they shall be entitled to receive any moneys so collected as aforesaid, shall make and execute to the county treasurers of their respective counties, a bond Commissioners to give bond.

in the sum of ten thousand dollars, with such sureties as the said county treasurers of said counties shall approve, conditioned that they will faithfully apply, according to law, all moneys received by them by virtue of this act, which bonds shall be filed in the office of the county clerks of said counties.

SEC. 7. This act shall take immediate effect.

Received at the executive office April 18, 1879.*

[No. 349.]

AN ACT to amend section twenty-five of an act entitled "An act to incorporate the city of Marshall," approved February fourteenth, eighteen hundred and fifty-nine, as amended by act number one hundred and twenty-eight of the session laws of eighteen hundred and sixty-five.

Sections
amended

SECTION 1. *The People of the State of Michigan enact, That* section twenty-five of an act entitled "An act to incorporate the city of Marshall," approved February fourteenth, eighteen hundred and fifty-nine, as amended by act number one hundred and twenty-eight of the session laws of eighteen hundred and sixty-five, be and the same is hereby amended so as to read as follows:

Mayor and
recorder to be
members of
board of super-
visors.

SEC. 25. The mayor and recorder of said city shall be *ex officio* members of the board of supervisors for the county of Calhoun, and shall, as representatives for said city, be entitled to all the rights, privileges, and powers of the members of said board of supervisors.

SEC. 2. This act shall take immediate effect.

Approved April 18, 1879.

[No. 350.]

AN ACT to amend act number fifteen of the session laws of eighteen hundred and seventy-four, approved March twenty-fifth, eighteen hundred and seventy-four, entitled "An act to revise the charter of the city of St. Clair, approved March eighteenth, eighteen hundred and sixty-three, as amended by act number two hundred and twenty-one of the session laws of eighteen hundred and seventy-one, approved March fifteenth, eighteen hundred and seventy-one, and to add two new sections thereto, to stand as sections two hundred and eighteen and two hundred and nineteen," by adding a new section thereto to stand as section two hundred and twenty.

Act amended.

SECTION 1. *The People of the State of Michigan enact, That* act number fifteen of the session laws of eighteen hundred and seventy-four, approved March twenty-fifth, eighteen hundred and seventy-four, be amended by adding a new section thereto to stand as section two hundred and twenty and to read as follows:

* Became a law under section 14, article IV., of the constitution, without the approval of the governor.

SEC. 220. That all taxes assessed for highway purposes shall hereafter be assessed and placed upon the general assessment roll and collected at the same time that the general tax is collected. Highway tax, how assessed and collected.

SEC. 2. This act shall take immediate effect.

Approved April 18, 1879.

[No. 351.]

AN ACT to prevent the sale of unsound meat or provisions in the city of Detroit.

SECTION 1. *The People of the State of Michigan enact*, That it shall be unlawful for any person to sell, or expose for sale within the limits of the city of Detroit any unwholesome, emaciated, tainted or putrid meat or provisions which for these or any cause are unfit for human food. Unlawful to sell unsound meat or provisions.

SEC. 2. It shall be unlawful for any person to drive, or bring or slaughter within the limits of the city of Detroit any animal which is maimed, bruised, afflicted with swellings, sores, or disease of any kind, or the meat of any such animal: *Provided always*, That said animal is intended to be slaughtered, or sold for human food. Unlawful to bring unsound animals or meat within the limits of the city.

SEC. 3. Any person who shall violate any of the provisions of the preceding sections shall be punished by a fine not to exceed one hundred dollars, or by imprisonment not to exceed three months, or by both such fine and imprisonment in the discretion of the court. Penalty.

SEC. 4. It shall be the duty of the board of metropolitan police commissioners of the city of Detroit to appoint an inspector, who shall be a person of previous practical experience as a butcher or veterinary surgeon, to enforce the provisions of this act. Said inspector may be created a captain, sergeant, or roundsman of the police force of said city of Detroit, at the option of the board. Appointment of inspector.

SEC. 5. It shall be the duty of said inspector to personally view, so far as possible, all animals exposed for sale for human food in said city, to visit all slaughter houses in said city and to inspect all animals held in them for slaughter, and the carcasses of all animals already slaughtered for human food; and to visit all places where meat for human food is kept or exposed for sale, and to inspect and ascertain the condition of said meat. He may detail any patrolman of said city to perform any or all of the duties enjoined on him by this act: *Provided always*, That said inspector and any policeman so detailed shall always be subject to the provisions of law establishing and governing the metropolitan police of said city. Duty of inspector.

SEC. 6. It shall be the duty of said inspector or of any patrolman detailed as provided in the preceding section to make complaint in writing before the police justice of said city of every violation of this act coming to his knowledge. Complaint.

SEC. 7. Each animal driven, brought, or slaughtered, and each

Each animal,
etc., to constitute
separate offense.

piece of meat or quantity of provisions sold or exposed for sale contrary to the provisions of this act shall constitute a separate offense.

Penalty for re-
fusing to allow
inspection.

SEC. 8. Any person who shall refuse to permit the said inspector or detailed patrolman to perform his duty under this act, either by refusing entrance to his premises, or by concealing any meat, animal, or provisions, or by refusing to permit said animal, meat, or provisions to be viewed and inspected as provided herein, or by in any manner hindering or resisting said inspector or patrolman in the performance of his duty, shall be guilty of a misdemeanor, and punished therefor.

SEC. 9. This act shall take immediate effect.

Approved April 19, 1879.

[No. 352.]

AN ACT to amend section one of an act entitled "An act to incorporate the village of Vassar, subject to the provisions of act number sixty-two of the session laws of eighteen hundred and seventy-five, entitled 'An act granting and defining the powers and duties of incorporated villages,' approved April first, eighteen hundred and seventy-five, and to repeal act number two hundred and six of the session laws of eighteen hundred and seventy-one, entitled 'An act to incorporate the village of Vassar,' approved March second, eighteen hundred and seventy-one," approved March twenty-first, eighteen hundred and seventy-seven.

Section
amended.

SECTION 1. *The People of the State of Michigan enact, That* section one of act number two hundred and fifty-six, session laws of eighteen hundred and seventy-seven, approved March twenty-first, eighteen hundred and seventy-seven, entitled "An act to incorporate the village of Vassar, subject to the provisions of act number sixty-two of the session laws of eighteen hundred and seventy-five entitled 'An act granting and defining the powers and duties of incorporated villages,' approved April first, eighteen hundred and seventy-five, and to repeal act number two hundred and six of the session laws of eighteen hundred and seventy-one, entitled 'An act to incorporate the village of Vassar,' approved March second, eighteen hundred and seventy-one, be and the same is hereby amended so as to read as follows:

Territory
incorporated.

SECTION 1. That all that tract of the township of Vassar, situated in the county of Tuscola and State of Michigan, known and described as follows, to wit: The east half of section twelve in township eleven north, of range seven east, and the west half of section seven in township eleven north, of range eight east, being in the township of Vassar in said county, be and is hereby constituted a village corporate by the name of the village of Vassar, subject to the powers of act number sixty-two of the session laws of eighteen hundred and seventy-five, entitled "An act granting and defining the powers and duties of incorporated villages," ex-

cept in so far as the name shall be inconsistent with the provisions of this act: *Provided*, The township of Vassar shall be and remain liable to build, construct, and repair any bridge or bridges across the river or any stream or streams in said village, and to grade and repair the streets on the side hills in said village the same as if this act had not passed. Proviso as to bridges.

SEC. 2. This act shall take immediate effect.

Approved April 19, 1879.

[No. 353.]

AN ACT to authorize and empower the township of Dundee, in the county of Monroe, to settle and compromise a judgment rendered in the circuit court for the county of Monroe against Andrew J. Jenne and Israel J. Drew, sureties upon the bond of John I. Johnson, the late defaulting treasurer of said township.

SECTION 1. *The People of the State of Michigan enact*, That the township board of the township of Dundee, in the county of Monroe, and State of Michigan, be and they are hereby authorized and empowered to settle and compromise with Andrew J. Jenne and Israel J. Drew, sureties on the bond of John I. Johnson, the late defaulting treasurer of said township, for a judgment rendered against them and their said principal in the circuit court for the county of Monroe aforesaid, at the October term of said court, eighteen hundred and seventy-seven, and to receive and accept from said sureties, or either of them, such sum as the said board shall deem equitable and just, in full satisfaction of said judgment as against said sureties. Township board authorized to settle judgment.

SEC. 2. This act shall take immediate effect.

Received at the Executive Office April 25, 1879.*

[No. 354.]

AN ACT to reincorporate the village of Almont.

SECTION 1. *The People of the State of Michigan enact*, That all that tract of country situate in the township of Almont, in the county of Lapeer, designated and described as follows, to wit: The southeast quarter of section twenty-one, the southwest quarter of section twenty-two, the northwest quarter of section twenty-seven, and the northeast quarter of section twenty-eight, in township six north of range twelve east, be and the same is hereby constituted and declared a body corporate under the name and title of "the village of Almont," and subject to and under the provisions of the general act for the incorporation of villages, being act number sixty-two of the session laws of eighteen hundred and seventy-five, and such amendments as may be made thereto; and in and by such Territory incorporated.
Under law of 1875.

* Became a law under section 14, article IV., of the constitution, without the approval of the governor.

name may sue and be sued, and do all other acts and things provided for in said act.

First election.

SEC. 2. The first election of officers under the provisions of said act, shall be held at the corporation jail in said village on the first Tuesday of March, eighteen hundred and seventy-nine, and the polls shall be opened at the time, and the said election shall be held and conducted in all respects as provided for in said general act; and due notice thereof shall be given by the board of registration hereinafter appointed, by causing three written or printed notices of said election to be posted in three of the most public places in said village at least ten days before the said election.

Notice of election.

Board of registration.

SEC. 3. M. T. Moore, L. M. Retherford, and John Green are hereby constituted a board of registration, who shall meet at the corporation jail in said village on the Saturday preceding the first Tuesday of March, for the purpose of registering the legal voters of said village; and said board of registration shall give due notice of the meeting thereof, at the same time and in the same manner as is provided in section two of this act for giving notices of election.

If election not held as provided.

SEC. 4. If the election of officers, as provided for in section two of this act is not held at the time prescribed therein, an election of said officers may be had at any time within one year of the time designated in said section, on notice being given as provided by said section, and until said election is held the organization of said village shall not be dissolved and repealed, but the said village of Almont shall be governed and regulated by and under the laws heretofore enacted for the incorporation of said village.

SEC. 5. This act shall take immediate effect.

Approved April 28, 1879.

[No. 355.]

AN ACT to authorize the use of so much of the East Saginaw and Au Sable river state road as lies within the limits of the city of Saginaw for the purpose of laying a plank road thereon.

Authority to use road for plank road.

SECTION 1. *The People of the State of Michigan enact, That* it shall be lawful for any plank road company that is now or may hereafter be organized and incorporated under the provisions of an act to provide for the formations of companies to construct plank roads, approved April eighth, eighteen hundred and fifty-one, and the amendments thereto, to use so much of the East Saginaw and Au Sable river state road as lies within the limits of the city of Saginaw for the purpose of laying and operating a plank road thereon: *Provided*, If two or more plank road companies shall desire to avail themselves of the provisions of this act, the company which shall first file a certificate of a majority of its board of directors with the recorder of the city of Saginaw certifying that it is the intention of such plank road company in good faith to build a plank road from the Saginaw river to the Tittabawassee river and

Proviso.

to avail itself of the provisions of this act shall have the exclusive right to use said road for the purpose of laying its plank road thereon: *And provided further*, That if the company so first filing such certificate shall not within one year from the passage of this act, complete such road, then any other company organized or to be hereafter organized as aforesaid shall have all the rights herein intended to be conferred upon the first company so filing its certificate aforesaid: *And provided further*, That such plank road company shall not at any time erect any toll gate within the corporate limits of the city of Saginaw, nor demand or receive toll from any person for traveling or passing over so much of its road as shall lie within the corporate limits of said city. The rights herein granted shall not interfere with the rights of said city to make improvements in said street: *And provided further*, That if any corporation shall not construct such plank road within three years from the passage of this act, then the rights and privileges granted under this act shall cease and be void.

Further proviso.

Not to erect toll gate in city.

Proviso.

SEC. 2. This act shall take immediate effect.

Approved April 28, 1879.

[No. 356.]

AN ACT to detach certain territory from the township of Little Traverse, Emmet county, and to attach the same to the township of Bear Creek, Emmet county.

SECTION 1. *The People of the State of Michigan enact*, That sections thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, twenty-five, twenty-six, twenty-seven, twenty-eight, and the south half of sections twenty-two, twenty-three and twenty-four, township thirty-five north, of range five west be, and the same are hereby detached from the township of Little Traverse and annexed to the township of Bear Creek.

Territory annexed.

SEC. 2. This act shall take immediate effect.

Approved April 28, 1879.

[No. 357.]

AN ACT to authorize the township board of Orange, Ionia county, to audit and allow the claim of Charles Mathews, for services as drain commissioner, and to pay the same out of the contingent fund of said township.

SECTION 1. *The People of the State of Michigan enact*, That the township board of the township of Orange, county of Ionia, be and they hereby are authorized and empowered to audit and allow the claim of Charles Mathews for services and expenses as drain commissioner, for such reasonable amount as they shall deem just and proper; and that the amount so audited and allowed shall be a valid claim against said township, and shall be paid out of the

Township board authorized to audit claim.

contingent fund of said township upon the order of said township board.

SEC. 2. This act shall take immediate effect.

Approved April 28, 1879.

[No. 358.]

AN ACT to amend section twenty-three of act number two hundred and fifty of the session laws of eighteen hundred and seventy-three, being an act to revise the charter of the city of Coldwater, being amendatory of an act entitled "An act to incorporate the city of Coldwater," approved February twenty-eighth, eighteen hundred and sixty-one, as amended by the several acts amendatory thereof, approved April seventeenth, eighteen hundred and seventy-three.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact, That* section twenty-three of act number two hundred and fifty of the session laws of eighteen hundred and seventy-three, being an act entitled "An act to revise the charter of the city of Coldwater," being amendatory of an act entitled "An act to incorporate the city of Coldwater," approved February twenty-eighth, one thousand eight hundred and sixty-one, as amended by the several acts amendatory thereof, be and the same is hereby amended so as to read as follows:

Powers of
justices of the
peace.

SEC. 23. Any justice of the peace of said city is hereby authorized and empowered to inquire of, hear, try and determine in a summary manner, all offenses which shall be committed within the limits of said city against any of the by-laws or ordinances which shall be made by the common council in pursuance of the powers granted by this act; to punish the offenders as by the said by-laws or ordinances shall be prescribed or directed; to award all processes and take recognizances for the keeping of the peace, for the appearance of persons charged and upon appeal; and to commit to prison as occasion may lawfully require: *Provided*, The right of trial by jury, when demanded, shall in all cases be preserved. In all prosecutions for violations of any of the by-laws or ordinances passed by the said common council, upon complaint being made upon oath before said justice of the peace, setting forth therein the substance of the offense complained of, such justice of the peace shall issue a warrant in the name of the people of the state of Michigan for the apprehension of the offender, directed to the sheriff or any constable of the county of Branch, or the marshal of said city, commanding him forthwith to bring the body of such person before such justice to be dealt with according to law; and any sheriff, constable, or marshal, to whom such warrant shall be delivered for service, is hereby authorized and required to execute the same in any part of this state where such offender may be found, under the penalties which are incurred by law by sheriffs and constables for refusing to execute criminal process; and upon bringing

Proviso.

How prosecu-
tions conducted.

Warrant.

To be served by
sheriff, constable
or marshal.

the person charged before said justice of the peace he shall plead to said complaint, and in case of his refusing to plead thereto or standing mute, the said justice of the peace shall enter the plea of not guilty for the person so charged; that upon the said complaint and plea a trial shall be had, and upon conviction of said offender, and the imposition of a fine, it shall be the duty of the justice to issue an execution directed to the marshal of said city or any constable of said county, commanding him to collect of the goods and chattels of the said person so offending, the amount of such fine with interest and costs; and for the want of goods and chattels wherewith to satisfy the same, that he shall take the body of the defendant and commit him to the common jail of said county; and the sheriff shall safely keep the body of said person so committed until he shall be discharged by due course of law; and in case where imprisonment alone shall be imposed upon the person so convicted the said justice shall issue a commitment directed as aforesaid, commanding his commitment until the expiration of the time for which he shall be sentenced to imprisonment, or until he be discharged by due course of law; and in case where both fine and imprisonment are imposed upon the person so convicted by the judgment of such justice of the peace, he shall issue the necessary process to carry such judgment into effect, and it shall be lawful to use the common jail of said county for the imprisonment of all persons liable to imprisonment under the by-laws and ordinances of the common council; and all persons committed by any justice for the violation thereof shall be in the custody of the sheriff of said county, who shall safely keep the persons committed until lawfully discharged as in other cases, and all persons sentenced to confinement in the common jail of said county, and all persons imprisoned therein on execution or commitment for the non-payment of fines, for violation of any by-laws or ordinances of the said city, may be kept at hard labor during the term of their imprisonment either within or without the said jail, but within the limits of said city under such regulations as the common council may prescribe: *Provided*, That the common council may remit any such fine in whole or in part if it shall appear to them that the person so imprisoned is unable to pay the same: *Provided further*, That all costs, fees and expenses incurred under the provisions of this section shall be provided for and paid out of the city treasury and shall be governed in amount by the laws of this state in relation to fees of justices of the peace, sheriffs and constables in criminal cases unless otherwise provided for by ordinances of said city.

Imprisonment
for want of goods
and chattels.

County jail may
be used.

Sheriff to have
custody of per-
sons committed.

Proviso.

Proviso as to
costs, etc.

SEC. 2. This act shall take immediate effect.

Approved April 28, 1879.

[No. 359.]

AN ACT to amend section one of act number three hundred and forty-nine of the session laws of eighteen hundred and seventy-

five, approved April twenty-third, eighteen hundred and seventy-five, entitled "An act to incorporate the village of Fremont, in the county of Newaygo."

Section
amended.

SECTION 1. *The People of the State of Michigan enact*, That section number one of act number three hundred and forty-nine of the session laws of eighteen hundred and seventy-five, approved April twenty-third, eighteen hundred and seventy-five, entitled "An act to incorporate the village of Fremont, in the county of Newaygo," be and the same is hereby amended so as to read as follows:

Territory
incorporated.

SECTION 1. *The People of the State of Michigan enact*, That all of the following described territory situated in the townships of Dayton and Sheridan, in said county of Newaygo, to wit: All that territory bounded by a line commencing at the northwest corner of section two, in township number twelve north, of range number fourteen west, and running thence south one hundred and seventy-six rods; thence east four hundred rods; thence north one hundred and seventy-six rods; thence west four hundred rods; and also commencing at the southwest corner of section thirty-five, in township number thirteen north, of range fourteen west, and running thence north one hundred and sixty rods; thence east four hundred rods; thence south one hundred and sixty rods; thence west four hundred rods, to the place of beginning,—embracing the following described territory, to wit: The north one-half of section two; also sixteen rods off the north side of the south half of section two; also the west half of the northwest quarter of section one; and also sixteen rods off the north side of the northwest quarter of the southwest quarter of section one, all in township number twelve north, of range fourteen west; also the south half of section thirty-five, and the west one-half of the southwest quarter of section thirty-six, in township thirteen north, of range fourteen west, be and the same is hereby set off from the townships of Dayton and Sheridan, in said county of Newaygo, and is hereby reincorporated and declared to be a village by the name of the village of Fremont, by which name it shall hereafter be known.

Name.

SEC. 2. This act shall take immediate effect.

Approved April 28, 1879.

[No. 360.]

AN ACT to reincorporate the village of Clayton, in the county of Lenawee.

Territory
incorporated.

SECTION 1. *The People of the State of Michigan enact*, That all that tract of country situate in the townships of Hudson and Dover, in the county of Lenawee, and designated as follows, to wit: The east half of section thirteen in the township of Hudson, and the west half of section eighteen in the township of Dover, be

and the same is hereby reincorporated and constituted a village corporate, under the name of the village of Clayton.

SEC. 2. The officers of said village now in office shall continue in office, with the same powers and duties as are conferred by this act upon like officers, until their successors shall be elected pursuant to the provisions of this act and the general law relating to villages, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five.

Name.
Officers to continue in office.

SEC. 3. All ordinances and resolution [resolutions] of the present village of Clayton shall continue in force until repealed.

Ordinances to continue in force.

SEC. 4. The first election under this act shall be held on the fourth Tuesday of March, eighteen hundred and seventy-nine, at Perkins' Hall, in the village of Clayton. Notice of the time and place of holding such election shall be given by posting notices thereof in at least three public places, by order of the trustees, in said village, at least two weeks previous to the holding of such elections. The present president of the village of Clayton and trustees of said village, or three of their number, shall constitute the board of registration for said first election; and said board shall meet on the Saturday next previous to the day of holding said first election at Perkins' Hall, in said village, at nine o'clock in the forenoon of said day, for the purpose of completing the list of qualified electors of said village, and in such proceedings shall have the same powers and proceed in the same manner, as near as may be, as is now provided by law for regulating and defining the powers and duties of boards of registration in townships.

First election.
Notice.

Board of registration.
Meeting.

SEC. 5. Said village of Clayton is hereby made subject to the general law, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five. Said village shall possess all the powers and be subject to all the liabilities imposed by said act.

Incorporated under law of 1875.

SEC. 6. The village as reincorporated shall possess all the property and rights, and be subject to all the liabilities and obligations of the village as heretofore incorporated.

Village to possess same rights, etc., as former village.

SEC. 7. If for any reason the election provided for in section four of this act shall not be held at the time designated for holding the same, it shall and may be lawful to hold the same at any time thereafter, by giving at least ten days' public notice of the time and place of holding such election by posting notices thereof in six of the most public and conspicuous places in said village, which notice shall be given by order of the trustees thereof.

Proviso if election not held as designated in act.

SEC. 8. This act shall take immediate effect.

Approved April 30, 1879.

[No. 361.]

AN ACT to amend section four of an act entitled "An act to incorporate the public schools in the city of Battle Creek," approved March seventeen, eighteen hundred and seventy-one,

being act number four hundred and ninety of the session laws for the year eighteen hundred and seventy-one and the amendment thereto, approved May twelfth, eighteen hundred and seventy-seven and to add thereto eight new sections to stand as sections number thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, and twenty.

Section amended.

SECTION 1. *The People of the State of Michigan enact*, That section four of an act entitled "An act to incorporate the public schools in the city of Battle Creek," approved March seventeenth, eighteen hundred and seventy-one as amended by act number three hundred and forty-one of the session laws of one thousand eight hundred and seventy-seven, approved May twelfth, one thousand eight hundred and seventy-seven, be and the same is hereby amended so as to read as follows:

Care, etc., of school-houses.

District library.

Teachers, etc.

General powers.

Board to receive money from county treasurer, etc.

To adopt by-laws.

To keep accurate accounts of all expenses.

To publish statement of receipts and expenditures.

Board to make estimate and certify to supervisor.

SEC. 4. It shall be the duty of said board of trustees to provide all necessary appendages for the school-houses and to keep the same in good condition and repair; to establish and maintain a district library, and for that purpose they may take and hold the library books, fixtures, and furniture now held and possessed by said school district, to employ superintendents, teachers, janitors and librarian, to fix the compensation of the secretary, to purchase other books for said library; to establish, locate and maintain a high school and grammar and primary schools and generally to do all things needful and desirable for the maintenance, prosperity and success of the schools in said district and the promotion of the thorough education of the children therein. It shall be the duty of said board to apply for and receive from the county treasurer or other officer holding the same all moneys appropriated for primary schools and the district library of said district, to adopt by-laws and rules for their own procedure and to make all needful rules and regulations for the control and management of the schools of said district and the said district library. Said board shall keep an accurate account of all expenses incurred by them, and all claims for such expenses shall be audited by said board and paid by the treasurer out of any money provided for that purpose, on the order of the secretary countersigned by the president of said board; it shall be the duty of the board to publish over the hands of its president and secretary during the week next before the annual meeting of the district, in some newspaper or newspapers published in the city of Battle Creek, a statement of the amount of all receipts and disbursements for the school year; and it shall be the duty of said board to make an estimate of the amount necessary to be raised in addition to other school funds for the entire support and maintenance of such schools for the ensuing year, including the expenses for the management of said library and any indebtedness of said district, and on or before the first Monday of October, the secretary shall certify such amount to the supervisor of the city of Battle Creek and the supervisor of any township from which said district shall in part be formed and the same shall be levied, collected and returned in the same manner as other taxes.

SEC. 2. That said act be and the same is hereby amended by Sections added. adding eight new sections thereto, to stand as sections number thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, and twenty.

SEC. 13. That the annual meeting of said district shall be held Annual meeting. on the first Monday of September in each year, and at the annual meeting to be held on the first Monday in September next, the qualified voters thereof shall elect by ballot two trustees for the term of three years, who with the four trustees holding over will constitute a board of six, and annually thereafter in the same manner they shall elect two trustees, who shall hold their office three years and until their successors shall have been elected and qualified. Election of trustees.

SEC. 14. That at the meeting of the board of trustees, next preceding the said annual meeting, it shall be the duty of the said board to elect from its number, three members of said board who shall constitute a board of inspectors for the purpose of conducting the annual election of trustees of said district. Board of inspectors.

SEC. 15. Said board of inspectors shall, before opening the polls appoint two suitable persons to act as clerks of the election, and said clerks so appointed shall take the constitutional oath of office, which oath either of said inspectors may administer and each clerk so appointed and each inspector so chosen shall receive two dollars for his services at said election, to be paid by the treasurer of said board. Clerks of election.

SEC. 16. The said board of inspectors shall provide a ballot box, Ballot box. at the expense of said district, and open the polls at such place within said district as the district board shall designate, by giving public notice as required by law, for the election of two trustees, Notice of election. whose term of office shall be for three years and until their successors shall have been elected and qualified; said polls shall be opened at one o'clock in the afternoon, or as soon thereafter as may be, Opening of polls. on the day of the annual school meeting and shall continue open until nine o'clock in the evening, but the said inspectors may adjourn the polls at five o'clock P. M. for one hour, in their discretion.

SEC. 17. The qualification of electors shall be the same as at general elections, and the electors shall vote by ballot, and each person offering to vote shall deliver his ballot to one of the inspectors, in the presence of the board, who shall deposit the same in the ballot box. Qualification of electors.

SEC. 18. If any person offering to vote at such election shall be challenged as unqualified, by any legal voter in said district, one of the inspectors shall declare to the person so challenged the qualifications of a voter, and if such person shall state that he is qualified and the challenge shall not be withdrawn, the said inspector shall tender him an oath in substance as follows: "You do swear (or affirm) that you are twenty-one years of age, that you are an actual resident of this school district and are legally qualified to vote at general elections in this State," and any person taking such oath shall be permitted to vote at such election. Challenge. Oath to be administered.

Refusal to take
oath.

SEC. 19. If any person so challenged shall refuse to take such oath his vote shall be rejected, and any person who shall willfully take a false oath or make a false affirmation, under the provisions of the preceding section, shall be deemed guilty of perjury.

Poll list.

SEC. 20. Each of the clerks of the election shall keep a poll-list which shall contain the names of all the electors voting at such election, and at the close of the polls the inspectors shall immediately proceed to canvass and ascertain the result of the election, which canvass shall be public, and the two persons found to have received the largest number of votes at such election shall be deemed duly elected trustees.

Canvass.

SEC. 3. This act shall take immediate effect.

Approved May 1, 1879.

[No. 362.]

AN ACT to amend section two of article six, and to add a new section thereto, to stand as section eight of act number three hundred and forty-eight of the session laws of eighteen hundred and sixty-nine, approved March twenty-six, eighteen hundred and sixty-nine, entitled "An act to reincorporate the village of Fenton."

Sections
amended.

SECTION 1. *The People of the State of Michigan enact, That* section two of article six of act number three hundred and forty-eight of the session laws of eighteen hundred and sixty-nine, as approved March twenty-sixth, eighteen hundred and sixty-nine, be amended and a new section added thereto, to stand as section eight, as follows:

ARTICLE VI.

Powers of board
of trustees.

SEC. 2. The board of trustees shall have full power within said village,

First, To elect one of their number president *pro tem.* as hereinafter provided;

Second, To declare and define the powers and duties of the officers of said village, whose powers and duties are not specifically prescribed in this act;

Third, To determine the amount and sufficiency of the sureties in the official bonds of the treasurer, marshal and such other officers as they shall deem proper to require security from in the discharge of official duty;

Fourth, To provide for the care, custody and preservation of the public property of said village;

Fifth, To see that the several officers of the village perform their duties faithfully and correctly, and that proper measures are taken to punish neglect of duty in any of them;

Sixth, To purchase and keep in order fire engines and other fire apparatus, and to make all needful rules and regulations for the

safe keeping of the same, and to organize a fire department and define their duties and prescribe penalties for their delinquencies; ^{Idem.}

Seventh, To establish fire limits within which no wooden building shall be built, enlarged or placed; to regulate party walls, chimneys, flues and putting up stoves and stove-pipes; to regulate the construction of smith shops, planing establishments, bakeries and other buildings considered extra hazardous; to guard against fires, and to compel the owners of lots or owners or occupants of building [buildings], in such portions of the village as they shall deem best, to provide one or more fire buckets and to regulate the keeping of the same;

Eighth, To prevent vice or immorality; to preserve peace and good order; to establish and maintain a competent police; to suppress, restrain and close up all disorderly houses, houses of ill-fame or licentiousness, gaming tables or any other device or instrument for gaming, and to punish the keepers of the same when kept in violation of any by-law, rule, regulation or ordinance of said village; to cause vagrants, idlers, disorderly persons, mendicants, street beggars, common prostitutes, impostors and drunkards to be apprehended and punished, and for that purpose may use the common jail of the county of Genesee;

Ninth, To increase the tax for the sale of spirituous or fomented [fermented] liquor not to exceed three hundred dollars; also, shall have power to tax all billiard tables kept for public use, not to exceed one hundred dollars each;

Tenth, To license and regulate caravans, circuses, theaters, shows, traveling concerts, auctioneers or auction sales, gift enterprises, hawkers, hucksters, peddlers and pawnbrokers, or prohibit them from soliciting patronage of the community within the limits of said village;

Eleventh, To prevent and punish immoderate riding or driving in the streets, and to provide penalties for leaving teams in the street unfastened;

Twelfth, To abate or remove nuisances of every kind, and to compel the owner or occupant of any grocery, tallow-chandler shop, butcher's stall, soap factory, tannery, stable, privy, hog-pen, sewer or other offensive or unwholesome house or place, to cleanse, remove or abate the same from time to time, as often as they may deem necessary for the health, comfort and convenience of the inhabitants of said village, and to punish persons for committing any nuisance or violating any ordinance in relation to the same;

Thirteenth, To compel the owners or occupants of lots to clean the sidewalks in front of and adjacent thereto, of snow, ice, dirt and every incumbrance or obstruction;

Fourteenth, To regulate the storage of powder, naphtha, nitro-glycerine, combustibles [combustible] oils, burning fluids, lumber, and other combustible material, and the storage and exhibition of fire-crackers, and other fireworks;

Fifteenth, To prevent the use of firearms, slung shots, metal knuckles, and other weapons;

Sixteenth, To regulate markets for the sale of poultry, meat, vegetables, fruit, fish, hay, wood, lime, and lumber;

Powers of board
of trustees.

Seventeenth, To restrain horses, cattle, sheep, swine, mules, and other animals, geese and other fowls, from going at large in the streets of said village, under such penalties as they shall in the by-laws prescribe, and to establish and maintain pounds for the restraint of such animals or fowls running at large in violation of any by-law, rule, regulation, or ordinance of said village, and to make all needful rules and regulations for the effective use of the same;

Eighteenth, To prevent the running at large of dogs, to require them to be muzzled, and to authorize their destruction if found at large in violation of any ordinance of said village;

Nineteenth, To erect lamps, and to cause the public grounds and such of the streets of said village as they shall deem proper, to be lighted at such times as in their judgment the wants and interest [interests] of the village may require;

Twentieth, To establish lines upon which buildings may be erected, and beyond which such building [buildings] shall not extend;

Twenty-first, To prevent the erection and provide for the removal of all building [buildings] deemed unsafe;

Twenty-second, To regulate the placing, and provide for the preservation of hitching posts and shade trees;

Twenty-third, To provide burial-places and regulate the burial of the dead in said village, and to protect and preserve the monuments, tomb-stones, trees and shrubbery, property, ornaments, improvements, grounds, and fences in and around any cemetery in said village, and to appoint a proper person to have the charge and oversight of the same;

Twenty-fourth, To provide for the appointment of a village attorney, and to prescribe his duties and compensation;

Twenty-fifth, To determine and designate the route and grade of any railroad to be laid in said village, and to restrain and regulate the use of locomotives, engines, and cars upon the railroads within said village;

Twenty-sixth, To prohibit and regulate bathing in any of the public waters within the limits of said village, and to provide for cleansing Shiawassee river of drift-wood and other obstructions within the limits of said village.

Board may
amend by-laws
and ordinances.

Ordinances to be
published.

Proviso.

SEC. 8. That the board of trustees of the village of Fenton are hereby empowered to compile, revise, and amend the by-laws and ordinances now in force in said village of Fenton; and said by-laws and ordinances when so compiled, revised, and amended, shall be published in pamphlet form, with an index, to the number of one thousand copies, and said copies of the said revised and amended by-laws and ordinances, when so printed, shall be left with the clerk of said village for gratuitous distribution to any resident of said village; and the publication of said compiled, revised, and amended by-laws and ordinances of said village shall be deemed a legal publication of the same in lieu of the publication required by the charter of said village: *Provided*, That all the by-laws and ordinances which shall be passed by said board of trustees after said by-laws and ordinances shall have been com-

piled, revised, and amended, and published in pamphlet form, shall be published as required by the charter of said village.

SEC. 2. This act shall take immediate effect.

Approved May 1, 1879.

[No. 363.]

AN ACT to authorize the village of Stanton to issue bonds to aid in the construction of a court-house and jail for Montcalm county.

SECTION 1. *The People of the State of Michigan enact*, That the president and trustees of the village of Stanton are hereby authorized and empowered to issue the bonds of said village, for an amount not exceeding ten thousand dollars, at a rate of interest not exceeding eight per cent per annum, and payable at the rate of two thousand dollars per annum, with interest payable annually, to aid in the construction of a court-house and jail for Montcalm county, and for no other purpose: *Provided*, The electors of Montcalm county shall raise or shall have raised by tax a like amount for the same purpose: *And provided further*, That the electors of said village shall, at a general or special village election, decide to issue said bonds.

Authority to
issue bonds.

Amount and
interest.

Proviso.

SEC. 2. The same proceedings shall be had, so far as may be, with reference to voting for the issuing of said bonds as is now provided for in the charter of said village of Stanton for elections to raise money by special tax.

Voting to be in
accordance with
charter.

SEC. 3. It shall be the duty of the president and trustees of the said village of Stanton to provide by tax, for the payment of the said bonds and interest as they may become due, which tax shall be in addition to, and shall be levied and collected in the same manner as the taxes which the said president and trustees of said village are, or hereafter may be authorized by law, to levy and collect upon the taxable property of said village.

Payment to be
provided for by
tax.

SEC. 4. This act shall take immediate effect.

Approved May 1, 1879.

[No. 364.]

AN ACT to provide for the re-survey and re-platting of the village of Almont, Lapeer county, Michigan.

SECTION 1. *The People of the State of Michigan enact*, That the common council of the village of Almont are hereby authorized and empowered to cause to be made a complete and correct survey of all existing streets, alleys, lots, and parcels of land embraced within the corporate limits of said village and plat the same, describing the lots thereon by number, and said plat, when certified under the hands of the president and common council and by them duly acknowledged, shall be recorded in the office of the register of

Council to cause
a correct survey.

Plat to be
recorded in office
of register of
deeds.

Proviso.

deeds of the county of Lapeer, and when so recorded said plat shall be deemed the official plat of said village, and all assessments and conveyances made of lots described therein shall be deemed valid: *Provided*, That nothing herein contained shall be deemed to affect the present titles to land in said village.

SEC. 2. This act shall take immediate effect.

Approved May 2, 1879.

[No. 365.]

AN ACT to reorganize and establish the township of Grant in Cheboygan county, and to legalize the township proceedings therein.

Territory organized.

SECTION 1. *The People of the State of Michigan enact*, That the following described territory, to wit: surveyed townships number thirty-six north, range one east and one west, sections number thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, and thirty-six in township thirty-seven north, range one east, and sections thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, and thirty-six, except that portion of sections seventeen, eighteen, nineteen, and thirty, lying west of the Cheboygan river, in township thirty-seven north, range one west, be and the same is hereby reorganized into and established as the township of Grant.

Name of township.
Officers to remain in office.

Obligations, etc., declared valid.

SEC. 2. The officers heretofore elected in the territory hereby established as the township of Grant, shall hold their respective offices during the unexpired term thereof, and every matter and thing connected with the township proceedings, the assessing, levying, and collecting of taxes and all obligations and liabilities incurred by the township organization in said territory, are hereby declared to be as valid and regular in every respect as though the territory described in section one of this act had heretofore actually constituted the township of Grant.

Approved May 2, 1879.

[No. 366.]

AN ACT to reorganize and establish the township of Duncan in Cheboygan county, and to legalize the township proceedings therein.

Territory organized.

SECTION 1. *The People of the State of Michigan enact*, That the following described territory, to wit: Sections one, two, three,

four, five, six, seven, eight, nine, ten, eleven and twelve in township thirty-seven north, range one east, sections one, two, three, four, five, six, seven, eight, nine, ten, eleven and twelve, except that portion of section [sections] six, seven and eight lying west of the Cheboygan river, in township thirty-seven north, range one west, fractional townships thirty-eight north range one and two east, be and the same is hereby reorganized into, and established as the township of Duncan.

Name of township.

SEC. 2. The officers heretofore elected in the territory hereby established as the township of Duncan, shall hold their respective offices during the unexpired term thereof, and every matter and thing connected with the township proceedings, the assessing, levying and collecting of taxes, and all obligations and liabilities incurred by the township organization in said territory are hereby declared to be as valid and regular in every respect, as though the territory described in section one of this act had heretofore actually constituted the township of Duncan.

Officers to continue in office.

Obligations, etc., to be valid.

Approved May 2, 1879.

[No. 367.]

AN ACT to reincorporate the village of Marine City.

SECTION 1. *The People of the State of Michigan enact*, That all that tract of country in the county of St. Clair in the State of Michigan, described as follows, to wit: Commencing at the northeast corner of fractional section number six, in township number three north of range number seventeen east, at the northeast corner of said township on the margin of St. Clair river, thence west, on the north line of said township to the center of Belle river; thence southeasterly down the center of said river to the junction of Belle river and the St. Clair river; thence northeasterly up the west channel bank of the St. Clair river to the place of beginning, be and the same hereby is reincorporated under the name and title of the village of Marine City.

Territory incorporated.

SEC. 2. The officers of said village now in office, shall continue in office with the same powers, and shall perform the same duties as are conferred by this act upon like officers, until their successors shall be elected and qualified to enter upon the duties of their respective offices, pursuant to the provisions of this act and the general law relating to villages, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, one thousand eight hundred and seventy-five.

Officers to continue in office.

SEC. 3. All ordinances, by-laws, orders and resolutions of said village shall continue in force until modified or repealed.

Ordinances to continue in force.

SEC. 4. The first election under this act shall be held on the second Monday in March, eighteen hundred and eighty, at the village hall, in said village of Marine city. Notice of the time and place of holding said election shall be given in the same manner as is provided in section four of chapter three of said general law

First election.

relating to villages above mentioned, and the manner of conducting said election shall be the same as provided in said act.

Incorporated
under law of
1875.

SEC. 5. Said village of Marine City is hereby made subject to the general law, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, one thousand eight hundred and seventy-five, and shall possess all the powers, and be subject to all of the duties and liabilities of said act.

Property, etc.,
to belong to
re-incorporated
village.

SEC. 6. The said village of Marine City as reincorporated, shall own and possess all of the property and rights of whatever kind or nature, and be subject to all of the liabilities and obligations of the said village as heretofore incorporated.

SEC. 7. This act shall take immediate effect.

Approved May 3, 1879.

[No. 368.]

AN ACT to authorize the Ladies' Library Association of Kalamazoo to hold property, real and personal, to any amount not exceeding thirty thousand dollars in addition to the value of its books.

Authority to
hold property.

SECTION 1. *The People of the State of Michigan enact*, That the Ladies' Library Association of Kalamazoo shall have power and is hereby authorized to hold property, real and personal, to any amount not exceeding thirty thousand dollars in addition to the value of its books.

Amount.

SEC. 2. This act shall take immediate effect.

Approved May 3, 1879.

[No. 369.]

AN ACT to amend sections two, three, six, seven, nine, twelve, and thirteen of an act entitled "An act to revise an act entitled 'An act relative to free schools in the city of Grand Rapids,' " approved March fifteenth, eighteen hundred and seventy-one, as amended by an act approved April twenty-fourth, eighteen hundred and seventy-five, approved May ninth, eighteen hundred and seventy-seven.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That sections two, three, six, seven, nine, twelve, and thirteen of an act entitled "An act to revise an act entitled 'An act relative to free schools in the city of Grand Rapids,' " approved March fifteenth, eighteen hundred and seventy-one, as amended by an act approved April twenty-fourth, eighteen hundred and seventy-five, approved May ninth, eighteen hundred and seventy-seven, be and the same are hereby amended so as to read as follows:

Election of
trustees.

SEC. 2. On the first Monday of September next after the passage of this act, and on the first Monday in September of each year thereafter, there shall be elected in each ward of said city, by the

qualified electors thereof, one school trustee who shall enter upon the duties of his office on the third Monday in September next after his election, and hold the same for a term of two years thereafter, and until his successor shall be elected and qualified. He shall be a resident and qualified elector of said ward, and all votes cast at such election for any person who shall not be so qualified shall be void. Before entering upon the duties of his office, and within five days after written notice to him of his election, the person elected as school trustee shall qualify by filing his acceptance with the secretary of the board of education, and by taking and subscribing and filing with said secretary the constitutional oath of office.

Term of office.

Qualification.

Acceptance to be filed.

SEC. 3. Notice of the time and places of holding said election shall be given by the mayor or person acting as mayor of said city on six consecutive days and within ten days previous thereto by publishing such notice in two daily newspapers printed and published in said city. At said election the trustees in their respective wards, and a secretary to be chosen by the trustees of each ward, shall constitute a board of inspectors of such election, and if any trustee shall be absent, a person shall be chosen by the electors present to fill his place as inspector of such election. Each of said inspectors shall take a proper oath to faithfully perform his duties as inspector of such election, which oath may be administered by either of the trustees, or any justice of the peace of said city. And when thus duly organized the electors of said ward shall proceed to vote by ballot for one school trustee. The polls shall be open at the respective polling places at the hour of two o'clock in the afternoon, and shall continue open without intermission or adjournment until the hour of eight o'clock in the afternoon, at which time they will be finally closed. Said election shall be conducted in all respects in the manner provided by law for conducting the charter election of said city: *Provided*, That the list of the names of persons voting at such election, and the inspection of the registration books shall be made by the board of inspectors of such trustee election. Every person shall be entitled to vote at such election who is a qualified elector of the city of Grand Rapids, and shall have resided in the ward in which he offers his vote at least ten days next preceding such election.

Notice of election.

Board of inspectors.

Oath of inspectors.

Opening and closing polls.

Proviso.

Qualification of voters.

SEC. 6. On the next Wednesday after such election, at the hour of eight o'clock in the evening of that day, the board of education shall convene at their usual place of meeting, at which time and place the statements aforesaid shall be produced by the secretary, and said board shall determine from said statements who were elected to the office of school trustee in and for the several wards of said city at such election. The person who shall receive, in any ward, the highest number of votes for such office shall be deemed to have been elected school trustee in and for such ward; and if two or more persons in any ward shall receive an equal number of votes, said board of education shall choose one of such persons, by ballot, as trustee. When such statements shall be canvassed as aforesaid, said board of education [election] shall declare

When board to determine who is elected.

Highest number of votes to elect.

Tie vote.

Notice of election.

[No. 371.]

AN ACT to amend the charter of the city of Ann Arbor.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That sections five, six, and seven of title six of act number four hundred and two of the session laws of eighteen hundred and sixty-seven, entitled "An act to revise and amend an act to incorporate the city of Ann Arbor, approved April fourth, eighteen hundred and fifty-one, and an act amendatory thereto, approved February twelfth, eighteen hundred and fifty-nine; and also an act amendatory thereto, approved February twenty-fifth, eighteen hundred and sixty-one," be and the same are hereby amended so as to read as follows:

Powers of council as to streets, etc.

SEC. 5. The common council shall have power to assess and levy by a tax the expenses of making, grading, paving, opening, widening and repairing streets, lanes and alleys, and of putting curb-stones, gutters and culverts therein; of grading, paving or planking, repairing and renewing sidewalks, of draining low lands, of making drains and sewers and other local improvements upon the lots, premises and subdivisions thereof, which are in front of or adjoining to such streets, sidewalks, drains, sewers and other improvements, or upon lots and premises which in the opinion of the common council are most benefited thereby, or by general tax, as they may deem proper; and the common council shall have power to make all by-laws and ordinances relative to the mode of assessing, levying and collecting such taxes: *Provided*, That the common council in providing for the expense of grading and paving streets, lanes and alleys, may include the necessary cross-walks, gutters, curbing and ballasting, and shall apportion such expense upon a local assessment district to be constituted of the lots or premises fronting upon that part of the street or alley proposed to be paved, or constituted of lots and premises fronting upon such improvements, and such other lands as in the opinion of the common council may be benefited by such improvement. When such assessment is to be made upon lots or premises in proportion to their frontage upon such improvement, if from the shape or size of any of such lots or premises an assessment thereon in proportion to its frontage would be unjust and disproportionate to the assessments upon other lots, the common council may assess such lots for such number of feet frontage as in their opinion will be just; and said council may direct a just portion of such assessment to be paid from the general street fund; *Provided, further*, That no such assessment for the construction of any new sidewalk by planking or otherwise, or pavement of any street or alley shall be made or collected other than by general tax, unless upon the application in writing of a majority of all the owners or occupants of the real estate which may be subject to assessment for such sidewalk or pavement.

Proviso as to grading, etc.

Proviso.

Poll tax.

SEC. 6. The common council shall have power to assess and collect from every male inhabitant of said city over the age of twenty-one years, except paupers, idiots and lunatics, and all persons fifty years old and over, a list of whom shall be made by the supervisors

houses, and for the payment of school bonds issued for such purposes, no greater sum than five mills on the dollar of all taxable valuation of the real and personal property in said city shall be levied in any one year: *Provided also*, That if for any reason said meeting of the electors of said city shall fail to be held in any year as herein provided, then the estimates of said board of education of the taxes deemed necessary for the ensuing year, duly made as aforesaid, shall be reported by the secretary to the clerk of the county of Kent, and the same shall be apportioned, levied, collected, and returned in the manner hereinbefore specified. Proviso.

SEC. 13. Said board shall annually, at their first meeting in July, or within twenty days thereafter, elect a treasurer and superintendent of schools. The treasurer shall have the keeping of all school and district library moneys, and shall pay the same out only upon the order of said board, signed by the secretary and countersigned by the president, which order shall show the object for which payment is required. Said treasurer shall give a bond to said board, with sufficient sureties and in an amount to be approved by said board, conditioned for the faithful performance of the duties of his office, which bond shall be filed with the clerk of said city. Either of said officers may be removed for incompetency or breach of duty, and a vacancy in either of the said offices shall be filled by said board for the unexpired term. Election of treasurer and superintendent.
Duties of treasurer.
Bond.
Removal.

SEC. 2. This act shall take immediate effect.

Approved May 3, 1879.

[No. 370.]

AN ACT to amend section twenty-two of title three of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the City of Grand Rapids,' approved April second, eighteen hundred and fifty, as amended by the several acts amendatory thereof," approved March fourteenth, eighteen hundred and seventy-one, as amended by the several acts amendatory thereof.

SECTION 1. *The People of the State of Michigan enact*, That section twenty-two of title three of an act entitled "An act to revise the charter of the city of Grand Rapids, being amendatory of an act entitled 'An act to incorporate the city of Grand Rapids,' approved April second, eighteen hundred and fifty, as amended by the several acts amendatory thereof," approved March fourteenth, eighteen hundred and seventy-one, as amended by the several acts amendatory thereof, be and hereby is amended to be and read as follows: Section amended.

SEC. 22. The city clerk shall be the custodian of the standard weights and measures belonging to the city, and the common council of said city shall have power to make such rules and regulations, by ordinance or otherwise, for the testing of weights and measures in use in said city, as they shall deem to be for the public interest. Clerk to have charge of weights and measures.

Approved May 13, 1879.

[No. 371.]

AN ACT to amend the charter of the city of Ann Arbor.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That sections five, six, and seven of title six of act number four hundred and two of the session laws of eighteen hundred and sixty-seven, entitled "An act to revise and amend an act to incorporate the city of Ann Arbor, approved April fourth, eighteen hundred and fifty-one, and an act amendatory thereto, approved February twelfth, eighteen hundred and fifty-nine; and also an act amendatory thereto, approved February twenty-fifth, eighteen hundred and sixty-one," be and the same are hereby amended so as to read as follows:

Powers of coun-
cil as to streets,
etc.

SEC. 5. The common council shall have power to assess and levy by a tax the expenses of making, grading, paving, opening, widening and repairing streets, lanes and alleys, and of putting curb-stones, gutters and culverts therein; of grading, paving or planking, repairing and renewing sidewalks, of draining low lands, of making drains and sewers and other local improvements upon the lots, premises and subdivisions thereof, which are in front of or adjoining to such streets, sidewalks, drains, sewers and other improvements, or upon lots and premises which in the opinion of the common council are most benefited thereby, or by general tax, as they may deem proper; and the common council shall have power to make all by-laws and ordinances relative to the mode of assessing, levying and collecting such taxes: *Provided*, That the common council in providing for the expense of grading and paving streets, lanes and alleys, may include the necessary cross-walks, gutters, curbing and ballasting, and shall apportion such expense upon a local assessment district to be constituted of the lots or premises fronting upon that part of the street or alley proposed to be paved, or constituted of lots and premises fronting upon such improvements, and such other lands as in the opinion of the common council may be benefited by such improvement. When such assessment is to be made upon lots or premises in proportion to their frontage upon such improvement, if from the shape or size of any of such lots or premises an assessment thereon in proportion to its frontage would be unjust and disproportionate to the assessments upon other lots, the common council may assess such lots for such number of feet frontage as in their opinion will be just; and said council may direct a just portion of such assessment to be paid from the general street fund; *Provided, further*, That no such assessment for the construction of any new sidewalk by planking or otherwise, or pavement of any street or alley shall be made or collected other than by general tax, unless upon the application in writing of a majority of all the owners or occupants of the real estate which may be subject to assessment for such sidewalk or pavement.

Proviso as to
grading, etc.

Proviso.

Poll tax.

SEC. 6. The common council shall have power to assess and collect from every male inhabitant of said city over the age of twenty-one years, except paupers, idiots and lunatics, and all persons fifty years old and over, a list of whom shall be made by the supervisors

at the time of making their annual assessments, an annual capita-
tion or poll tax, not exceeding one dollar, and they may provide by
ordinance for the collection of the same, provided that any person
assessed for a poll tax may pay the same by one day's labor upon
the streets, under the direction of the street commissioner or any
alderman of the ward in which he resides, and the money raised by
poll tax or the labor in lieu thereof shall be expended or performed
in the respective wards where the person so taxed shall reside.

SEC. 7. Whenever the common council shall deem it expedient Sidewalks;
power of council
as to,
to construct, repair or renew any sidewalks within the limits of said
city, they may by ordinance or otherwise require the owner of any
lot or premises adjoining said street to construct such sidewalk or
repair or renew the same in front of his or her lot or premises, in
accordance with the provisions of this act. The common council
may by ordinance or otherwise, under such penalty or penalties as
they may prescribe, require the owners or occupants of lots or prem-
ises in said city or in any specified part thereof, to grade, construct,
repair and renew sidewalks adjoining their respective premises, in
such manner as the common council may direct. If the owner or If owner or
occupant fails to
construct, etc.
occupant of any lot or premises, after notice so to do shall have been
posted on such lot or premises or otherwise given, served or published
as the common council may direct by ordinance, resolution or other-
wise, shall fail or neglect to construct, repair or renew any sidewalk or
to clear away any snow, ice or other obstructions from any sidewalk Snow, ice, etc.,
or to widen any street adjoining to such lot or premises within such
time as the common council may prescribe or require by ordinance,
resolution or otherwise, the common council may cause the same to
be done at the expense of the city, and such expense shall be
deemed to be a special assessment upon such lot or premises, and
the common council may add the same to the amount of the gen-
eral city tax on such lot or premises in the proper district tax roll
made the same year the said expense for such improvement was
incurred or next thereafter to be made; and the amount so added
shall be a lien on the premises in the same manner as the State,
county and other city taxes to which it is added, and may be col-
lected and enforced and, if not paid, the land sold therefor in the
same manner as for other ordinary taxes, and at the time of the sale
of any such lot or premises for such delinquent tax or taxes, the city
recorder or other officer of the city may cause the same to be bid
off to the city in its corporate name, and if not redeemed within
the time allowed by law, the city shall be entitled to a deed of such
lot or premises from the auditor general, as provided in other cases,
which deed shall be *prima facie* evidence of the regularity of all the
proceedings by the common council and other officers of the city
relating to such local improvement and assessment of the cost upon
such lot or premises as well as of all the proceedings by the assessor
and other officers from the valuation of such lot or premises to the
date of the deed, inclusive, and of title in fee in the purchaser.

SEC. 2. This act shall take immediate effect.

Approved May 13, 1879.

[No. 372.]

AN ACT to change the names of certain streets in Daglish's division of Portsmouth, now a part of Bay City.

Name of streets
changed.

SECTION 1. *The People of the State of Michigan enact*, That the names of the following streets in Bay City, Bay county, viz.: Fifth, Sixth, and Seventh streets in that part of Bay City which was formerly Portsmouth, according to the map or plat of Daglish's division of Portsmouth, now of record, be changed as follows: Fifth street, to McCormick street, Sixth street to Wilson street, and Seventh street to Marsac street.

New names.

SEC. 2. This act shall take immediate effect.
Approved May 13, 1879.

[No. 373.]

AN ACT to incorporate the village of Grosse Pointe, in the county of Wayne.

Territory
incorporated.

SECTION 1. *The People of the State of Michigan enact*, That so much of the township of Grosse Pointe in the county of Wayne as is included within the following boundaries, to wit: beginning at a point where the southwesterly line of private claim number two hundred and forty-one intersects the channel bank of Lake St. Clair, thence running northerly along the southwesterly line of said private claim number two hundred and forty-one to the center line of the Mack road, so called, thence running northerly along the center line of said Mack Road to the northeasterly line of private claim number six hundred and eighteen, thence easterly along said last mentioned easterly line of private claim number six hundred and eighteen to the channel bank of Lake St. Clair, thence southwesterly along said channel bank of Lake St. Clair to the place of beginning, be and the same is hereby constituted a village corporate under the name of "the village of Grosse Pointe," under and by virtue of the provisions of act number sixty-two of the session laws of eighteen hundred and seventy-five, entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and such amendments as have been or shall hereafter be made thereto.

First election.

SEC. 2. The first election for officers of said village shall be held on the second Monday of July, in the year eighteen hundred and seventy-nine, at the school house on private claim number one hundred and twenty-two on the Lake Shore road in said village, and notice of such election shall be posted in three public places in said village by the board of registration, hereinafter appointed, at least ten days previous thereto.

Notice.

Board of registration.

SEC. 3. On the Saturday previous to the second Monday of July in the year eighteen hundred and seventy-nine, Charles G. Moran, Isaac S. Smith, and Alexander Michie of said village shall act as a board of registration, and shall meet at the school-house on the

Lake Shore road, hereinbefore designated in section two, for the purpose of registering the names of the qualified electors of said village, and due notice of the meeting of said board of registration shall be given by said board in the same time and manner as is prescribed for the notice of election in said section two: *Provided*, That in case any one of the persons herein named as a board of registration shall fail to appear at the time and place herein designated the majority of said board are hereby authorized and empowered to appoint a third member of said board.

Notice of meeting.
Proviso.

SEC. 4. This act shall take immediate effect.

Approved May 20, 1879.

[No. 374.]

AN ACT to provide for the establishment and maintenance of a broad street or boulevard about the limits of the city of Detroit and through portions of the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne.

SECTION 1. *The People of the State of Michigan enact*, That in the city of Detroit and in the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne, there shall be established a board of commissioners, to be known as the "Board of Boulevard Commissioners," who shall be a body corporate and politic, and shall have power to sue and be sued, and such express powers and duties as shall be prescribed by this act, and such implied powers and duties as shall be necessary and proper to carry into execution and effect the express powers and duties herein prescribed.

Board of boulevard commissioners.

SEC. 2. The said board shall be composed of the following members (until reduced in number as provided in section four of this act): one to be appointed from each of the said townships by the township board thereof, and the remaining members of the said board shall be the mayor and the several members of the board of public works of the city of Detroit.

Who to compose board.

SEC. 3. The township board of each of the said townships shall meet on the first Monday in April, in the year one thousand eight hundred and eighty, and every three years thereafter, and appoint a member of the said board of boulevard commissioners, and on failure so to appoint, the said township board may, on the application of ten or more resident freeholders of such township, be compelled by the supreme court, by appropriate remedy, to exercise the power of appointment conferred by this act.

Apportionment of commissioners by township boards.

SEC. 4. Each of the members of the said board appointed from the several townships aforesaid shall signify his acceptance of the office in writing, and shall hold such office for the term of three years, from the first Monday in April of the year in which, by the provisions of this act, he should be appointed, and until his successor has been appointed and, in like manner, has accepted his office: *Provided, however*, That if at any time hereafter the limits

Acceptance and term of office.

Proviso.

of the city of Detroit or of any of the said townships shall be so changed that no portion of the line of the boulevard herein provided for shall lie within the limits of any one or more of the said townships, then the office of the then commissioners from such township or townships, as the case may be, shall cease and become vacant, and no commissioner shall thereafter be appointed from such township or townships.

Board not to receive compensation.

SEC. 5. The members of the said board of boulevard commissioners shall not receive any compensation for the performance of any of the duties or services, or for exercising any of the powers contemplated or provided by this act.

Mayor of Detroit ex officio president of the board.

SEC. 6. The mayor of the city of Detroit shall be *ex officio* president of the said board of boulevard commissioners, and a majority of the said board shall constitute a quorum for the transaction of business.

Location of line.

SEC. 7. The said board of boulevard commissioners shall have power and authority to determine, locate and establish the line of a broad street or boulevard, not less than one hundred and fifty feet nor more than feet in width, about the limits of the city of Detroit and through portions of the townships of Hamtramck, Greenfield and Springwells, in the county of Wayne, which line of said boulevard shall commence on Jefferson avenue, in the township of Hamtramck, and terminate at the river road, in the township of Springwells, and may run through such portions of the outer limits of the city of Detroit, and such portions of the said townships as said board of boulevard commissioners shall determine.

Surveys, maps, plats, etc.

SEC. 8. The said board shall have power and authority to make all surveys, maps and plats necessary and proper to the due execution of the powers and duties prescribed by this act, and the said board and all persons by them authorized, or acting under their direction, are authorized to enter upon private property for the purposes of determining, locating and establishing the line of the said boulevard, and of making and prosecuting all such necessary and proper surveys. The said board, in determining, locating and establishing the line of the said boulevard, may mark the lines and limits thereof at suitable and convenient points by means of stakes or other suitable monuments.

Maps, plats, etc., to be recorded in office of register of deeds of Wayne county.

SEC. 9. Whenever the said board shall have determined and located the line of the said boulevard, they shall make or cause to be made a map or plat of the said boulevard, on a suitable scale, and showing the width, courses, distances, and other suitable *indicia* of location, and shall certify the same, and cause it to be recorded in the office of the register of deeds for the county of Wayne. They shall also make or cause to be made like maps or plats, on suitable scales, of the several portions of the said boulevard included within the limits of the city of Detroit, and of the several townships aforesaid, which maps or plats last mentioned shall be filed as follows: the map or plat of that portion of the said boulevard lying within the limits of the city of Detroit shall be filed with the city clerk of said city, and the maps or plats of the several portions lying within

Maps to be filed with clerk of city and township.

the townships aforesaid shall, respectively, be filed with the township clerk of the township within which the portion of the said boulevard covered by the said map or plat is situated. Upon the filing of the map or plat of the whole of said boulevard with the register of deeds aforesaid, for record, the line and location of the said boulevard shall be deemed to be finally established, and shall not be changed without the united consent of the said board of boulevard commissioners, the common council of the city of Detroit, and the township boards of such of the townships within the limits of which any portion of the said boulevard may be situated.

How location
may be changed.

SEC. 10. The said board of boulevard commissioners shall have power to adopt plans for constructing, laying out, improving, ornamenting and beautifying the said boulevard, and shall have a supervisory and superintending control of the execution of such plans. They shall also have a like control and management of the maintenance and care of the said boulevard, and shall have power to make all reasonable rules and regulations concerning the use of the said boulevard, and for the protection of the same. No work shall be done or money laid out or expended upon said boulevard except under the direction and superintendence of the said board, or their authorized agents or employés.

Board to have
control of boulevard.

SEC. 11. When the line and limits of the said boulevard shall be established by the said board, as above provided, any person, competent to convey real estate, owning lands within such limits, or any interest in such lands, may thereupon grant and convey the same to the township or city within which the said lands are situated. Such grant or conveyance may be made by any lawful instrument for the conveyance of real estate in this state, and shall be to the city or township in which the lands described therein are situated. Delivery of such deed may be made to the said board of boulevard commissioners, and the same may be recorded in like manner as deeds of real estate under the recording laws of this state. Upon the execution and delivery of such deed, all of the estate, right, title and interest of the grantor therein shall pass to and vest in the grantee therein, for the uses and purposes of such boulevard.

Grant or conveyance of lands,
how made.

SEC. 12. The proper authorities of the city of Detroit shall have like power to open the said boulevard within the limits established by the said board, and condemn private property for the uses and purposes thereof, like proceeding [proceedings] being taken as are or may be provided by law for the opening of streets in said city.

Power of city to
condemn land.

SEC. 13. The proper authorities of the several townships through which said boulevard passes shall have like power to open the same and condemn lands for the uses and purposes thereof, like proceedings being taken as are or may be provided by the general laws of the State for opening highways.

Power of townships to condemn
land.

SEC. 14. Whenever the said boulevard, or any part thereof, shall be opened, either by grant or conveyance, or by proceedings *in invitum*, the same shall, under such reasonable rules and regulations as shall be adopted by the said board of boulevard commissioners, be common and public, for the uses and purposes of such boulevard.

To be public.

SEC. 15. The said board shall have power to accept and receive

Board may
accept cash do-
nations.

private cash donations, to be laid out and expended for the uses and purposes of the said boulevard, and such donations shall be held by the said board, and they shall lay out and expend the same for the uses and purposes of the said boulevard according to their best judgment and discretion.

Funds raised by
city for use of
boulevard.

SEC. 16. The city of Detroit may annually raise and appropriate funds for the uses and purposes of the said boulevard, but shall raise the same by taxation only, and after approval of the board of estimates, and in the manner provided by law for raising funds for the general purposes of the said city. The funds raised by the city of Detroit for the uses and purposes of the said boulevard shall remain with the city treasurer of the said city, and shall be kept by him in a separate fund, to be known and designated as the "boulevard fund," and no moneys shall be drawn therefrom except on the warrant of the controller of said city.

Funds raised by
townships.

SEC. 17. The several townships of Hamtramck, Greenfield and Springwells may annually raise and appropriate funds for the uses and purposes of the said boulevard, but shall raise the same by taxation only, in the manner prescribed by this act. The township board may submit to the electors of the township, to be voted upon at the regular annual township meeting, an estimate for an appropriation for the uses and purposes of the said boulevard, to be raised with the next annual tax levy for township purposes. The township board shall meet at least ten days before the regular annual township meeting, and determine whether an estimate of an appropriation shall be submitted to the electors of the township at the next succeeding regular annual township meeting; and if the said township board shall decide to submit such estimate to the electors of the township, they shall also fix the exact amount of the estimate to be voted upon, which shall not exceed in any one year the sum of ----- dollars. The vote upon such estimate

Form of ballot.

shall be by ballot, and such ballots may be written or printed, or partly written and partly printed, and shall have upon them the words, "Boulevard Appropriation—Yes," or "Boulevard Appropriation—No," together with the amount in numerals and proper characters of the sum to be voted upon, and shall be deposited in a separate box, to be provided by the township board for that purpose; and the qualifications of electors, the conduct of elections, the counting of the votes, and the making of returns and other proceedings connected with the same shall be governed and regulated by the laws of this state relative to the election of township officers, so far as the same shall be applicable. All ballots having upon them the words, "Boulevard Appropriation,—Yes," and the amount in numerals, and appropriate marks of the estimate fixed by the township board, as above provided, shall be counted in favor of such appropriation, and all other ballots shall be counted against such appropriation; the majority of the ballots cast shall determine whether such appropriation shall be raised or not. If a majority of the ballots cast shall be found to be in favor of the appropriation, the proper officers shall include the amount thereof and provide for the raising of the same in the next succeeding tax

Qualification of
electors.

When ballots in
favor of appro-
priation.

levy for township purposes, to be assessed and collected as in cases of other taxes for township purposes. A failure on the part of any officer to perform any of the duties or acts necessary to the assessment and collection of such appropriations shall not prevent the raising of the same, and the performance of the proper act or duty on the part of such officer may be compelled by appropriate remedy, on the application of the said board of boulevard commissioners, in addition to and independently of any other person or persons who might lawfully make such application. The money so raised shall remain with the township treasurer, and shall be drawn only on the warrant of the supervisors of townships.

Failure of officer to perform duty not to prevent raising of tax.

Money, how drawn.

SEC. 18. The city of Detroit and the several townships aforesaid shall exercise the power conferred upon them respectively by sections sixteen and seventeen of this act, when the line of the said boulevard shall have been established and not before, and shall exercise such powers only when and as long as some portion of the line of said boulevard shall be situated within the limits of the said city or of said townships respectively.

City and townships not to exercise power until line established.

SEC. 19. The common council of the city of Detroit shall have power to provide for the payment of the expenses of surveying, locating, and establishing the line and limits of the said boulevard throughout, and the expenses of making, recording, and filing the necessary and proper maps or plats therefor, as contemplated by this act. The common council may also require the city engineer of the city of Detroit, and his assistants, to render such services and assistance to the said board of boulevard commissioners, and under the order and direction of the said board, as shall be necessary and proper in surveying, locating, and establishing the line and limits of the said boulevard, and in making the maps and plats last aforesaid.

City to provide for expenses, etc., of location.

SEC. 20. The said board of boulevard commissioners shall have an office, and shall have power to appoint and employ a secretary, and an engineer, and to employ such other assistants and employes as shall be necessary and proper to the due execution of the powers and duties prescribed by this act.

Office of board.

SEC. 21. The said board shall not have power in any manner to bind either the city of Detroit or any of the said townships, nor in any manner to render the said city or townships, or any of them, liable or responsible for the acts of the said board, or of the members thereof.

City and township not responsible for acts of board.

SEC. 22. If the said board of boulevard commissioners shall enter into any contract or agreement requiring the expenditure of moneys not appropriated and remaining unexpended at the time of making such contract or agreement, the members thereof shall be individually and jointly and severally liable thereon. If the said board shall enter into any contract or agreement requiring the expenditure of money, and shall have previously entered into like contracts, which last-mentioned contracts shall, in terms, require an expenditure of money equal to or in excess of the moneys appropriated and unexpended, the members of said board shall, in like manner, be individually liable thereon. This section shall not be

Board individually liable for expenditures not appropriated, etc.

	construed to deprive any person of any other remedy allowed by law.
Claims, etc., how audited.	SEC. 23. Every bill, claim, demand, and account of whatever kind or nature against the said board of boulevard commissioners shall first be presented to the said board, and if the same shall be lawful the said board shall audit and allow it and certify it to the controller of the city of Detroit or supervisor of the township, who shall thereupon draw a warrant for the same on the proper treasurer and attach thereto the bill, claim, demand, or account, as the case may be, as certified by the board, and the said treasurer shall pay the amount named in the warrant to the person to whose order the same shall be drawn. A presentation of a fair statement of the bill, claim, demand, or account, in writing, to any member of the board, the secretary, or engineer thereof, shall be deemed a sufficient presentation. It shall be the duty of the secretary to make out, on request, a statement in writing of the bill, claim, demand, or account of any laborer employed by the said board. The controller of the city of Detroit and supervisors of the several townships shall keep records showing the number of warrants drawn, the amount named in the warrant, and the person to whose order, and the nature of the claim, bill, demand, or accounts for which the same is drawn.
What deemed a presentation.	
Record of war- rants drawn.	
Record to be kept by board.	SEC. 24. The said board of boulevard commissioners shall keep, in books to be provided by them for that purpose, a true record, showing the persons employed by the board and their time, the amounts paid to them, the materials purchased by or donated to the board, the cash donations to the board and by whom, the amounts appropriated by the city of Detroit and the several townships, the bills, claims, demands, and accounts presented to the board, and those audited and allowed by them, the amount of moneys expended by the board, and such other particulars as the board shall deem advisable. Such books shall be at all times open to the inspection of every member of the board, any member of the common council of the city of Detroit, and the members of the several township boards aforesaid. The said board of boulevard commissioners shall file with the city clerk of the city of Detroit and the township clerks of the said townships, quarter annually, a report in writing, showing a summary of the above particulars, and shall report in writing, annually, to the common council of the city of Detroit a summary of such particulars, and in addition thereto the progress made during the year and the general condition of the boulevard.
Books open to inspection.	
Quarterly report in writing to be filed.	
Removal from office.	SEC. 25. Any member of the said board may be removed from his office for corrupt conduct in his office as a member of said board. Such removal shall be by the Governor, and the proceedings relative thereto shall be, as near as may be, as is provided by law in cases of certain county officers who may be removed by the Governor.
By the governor.	
Vacancy in office of member of board.	SEC. 26. Whenever any vacancy shall occur in the office of a member of the said board of boulevard commissioners appointed from any township, the same may be filled by appointment of the

proper township board, and such appointee shall hold his office for the remainder of the unexpired term. Vacancy in office under this section shall be deemed to exist by reason of the death, resignation, removal from office, permanent incompetence, or removal from the township from which he is appointed, of any such member of said board. The exercise of the power of appointment conferred by this section may be compelled in like manner as is provided for cases arising under section three of this act.

SEC. 27. The common council of the city of Detroit and the township board of the several townships above named, with the consent of the said board of boulevard commissioners, shall have power to appropriate and use from the several respective funds of such city or townships provided for in sections sixteen and seventeen of this act, subject to the next section of this act, such sum or sums of money from time to time as shall be deemed advisable, for the payment of the expenses of opening said boulevard and for the payment of damages assessed for property condemned for the uses and purposes of said boulevard in any part thereof.

Payment of money for expense of opening, etc.

SEC. 28. No act involving expense to the city of Detroit shall be done by said board until the establishment of said boulevard is authorized by the common council of said city and approved by the board of estimates. Said council and board of estimates shall also have power to direct upon what portions of said boulevard all money shall be expended which are raised in the city of Detroit.

Council and board of estimates of boulevard upon city liable for expenses.

Approved May 21, 1879.

[No. 375.]

AN ACT to amend section two of chapter six of an act entitled "An act to revise the charter of the city of Detroit," approved February fifth, eighteen hundred and fifty-seven, as amended by the acts amendatory thereof, relative to the recorder's court of said city.

SECTION 1. *The People of the State of Michigan enact*, That section two of chapter four [six] of an act entitled "An act to revise the charter of the city of Detroit," approved February fifth, eighteen hundred and fifty-seven, as amended by the acts amendatory thereof, be and the same is hereby amended so as to read as follows:

Section amended.

SEC. 2. The recorder of said city shall be the judge of said court, but the judge of the superior court of Detroit may sit as the judge of said court, and as such judge shall have and exercise all the powers and duties of said recorder. It shall be the duty of the common council of said city of Detroit, to cause an election to be held to fill any vacancy in the office of recorder of said city, in the same manner as is provided for filling a vacancy in the office of mayor thereof, and whenever said recorder shall tender his resignation to the common council to take effect at some future day and the same shall have been accepted, said common council may cause

Recorder to be judge. Judge of superior court may sit as judge. Election to fill vacancy.

Proviso.

an election to fill the expected vacancy, which may be held between the time of said acceptance of resignation and the day when it is to take effect: *Provided*, That not less than ten days' notice of such election shall be given; or such expected vacancy may be filled at any regular election occurring within thirty days after such acceptance of resignation, if said common council so order; and such recorder elect shall assume the duties of the office at the time said resignation takes effect, or as soon thereafter as he is elected and qualified [qualifies].

SEC. 3. This act shall take immediate effect.

Approved May 21, 1879.

[No. 376.]

AN ACT to amend section three and section twenty of title two, section seven of title four and section twenty of title five of act number two hundred and eighty-three of the session laws of eighteen hundred and sixty-nine, entitled "An act to incorporate the city of Manistee," approved March fifteenth, eighteen hundred and sixty-nine.

Sections amended.

SECTION 1. *The People of the State of Michigan enact*, That sections three and twenty of title two of act number two hundred and eighty-three of the session laws of eighteen hundred and sixty-nine, entitled "An act to incorporate the city of Manistee," approved March fifteenth, eighteen hundred and sixty-nine, be and the same is hereby amended so as to read as follows:

First election.

SEC. 3. The first annual election to be held under this act shall be held in each of the several wards on the third Monday in March, eighteen hundred and sixty-nine, at the following places: In the first ward, at Engelmann's store; in the second ward, at Ellis Hall; in the third ward, at Thurber's Hall; in the fourth ward, at Gifford & Ruddock's boarding house; and there shall be chosen at said election, in each of said wards, by the electors present, two judges and a clerk of said election, each of whom shall take an oath or affirmation, to be administered by any person authorized to administer oaths, faithfully and honestly to discharge the duties required of him as judge or clerk of said election, and shall conduct the same and certify the result in the same manner as herein required for subsequent elections to be held under this charter; the annual elections after the first under this act, shall be held on the first Monday of April, in each year, at such places in each of the several wards as the common council may designate; notice thereof shall be given by the recorder at least eight days before the election, by posting the same in three public places in each ward; the aldermen in each ward shall be the inspectors of such election, and of all other elections held in said city, and shall choose the clerk thereof; and in case of the absence of one or more of such inspectors, the electors present may choose *viva voce*, from their number, one or more to fill such vacancy or vacancies, to whom shall be

Annual elections.

administered the constitutional oath by either of said inspectors, or by any justice of the peace. The manner of conducting all elections and canvassing votes, and the qualifications of electors in the several wards shall be the same as that of townships, the word "ward," instead of "township," being used in the oath to be administered to an elector in case his vote shall be challenged: *Provided*, That at such charter elections the said ward inspectors Proviso. shall make one certificate of the number of votes given for each person for the several offices to be filled in and for said city, and also one certificate of the officers elected in and for each ward, which certificates shall be immediately filed in the office of the recorder of said city; and upon the Thursday next following the day of such election, the common council shall meet at the office of said recorder, and thereupon determine who, by the greatest number of votes given in the several wards at such election, are duly elected to fill the respective city offices; and it shall be the duty of the recorder, immediately after such determination, to cause notice to be given to each of the persons elected of their election; and each of said officers shall, within ten days thereafter, take and subscribe the constitutional oath of office before any person authorized to administer oaths, and shall deliver the same to said recorder, who shall file the same in his office: *Provided*, That at the first Proviso annual election under this act, the judges and clerk of election in each ward shall choose one of their number to be inspector of the city election, to whom the certificate of votes given for city officers shall be delivered; and on Thursday next after the election the said inspectors shall meet at the county clerk's office and determine who, by the greatest number of votes given in the several wards at such election, are duly elected to fill the respective city offices, and they shall give notice to the recorder elect of such determination; said recorder shall then notify the other officers as directed in this act for other elections: *Provided*, That in case of the election of Proviso. one or more justices of the peace, the said recorder shall make a certificate thereof, and cause it to be delivered to the county clerk, in the same manner as is required of township clerks; and in case two or more persons shall receive for the same office an equal number, and not a plurality of votes given at such election, the common council shall immediately proceed to determine by lot between the persons receiving the highest number of votes, who shall be considered elected to such office; in case any of the officers so elected shall neglect, for a term of ten days, to qualify as aforesaid, the office shall thereby become vacant.

SEC. 20. Whenever a vacancy occurs in the office of alderman, by his refusal or neglect to take the oath of office within the time required by this act, by his resignation, death, ceasing to be an inhabitant of the city or ward for which he shall have been elected, removal from office, or by the decision of a competent tribunal declaring void his election, or for any other cause, the common council of said city shall immediately appoint a special election to be held in the ward for which such officer was chosen, at some suitable place therein, not less than five days nor more than fifteen

Vacancy in office of alderman, how filled.

Proviso. days from the time of such appointment: *Provided*, That in case any such vacancy shall occur in the said office of alderman within three months before the first Monday of April in any year, it shall be optional with the common council to order a special election or not, as they shall deem expedient.

SEC. 2. That section seven of title four of said act be amended so as to read as follows:

Members of council not to hold office in city, etc.

SEC. 7. No member of the common council shall, during the period for which he was elected, be appointed to, or be competent to hold any office of which the emoluments are paid from the city treasury or paid by fees directed to be paid by any act or ordinance of the common council, or be directly or indirectly interested in any contract as principal, surety or otherwise, the expenses or consideration whereof are to be paid under any ordinance of the common council; but this section shall not be construed to prevent the mayor or recorder from receiving any salary which may be fixed by the common council, nor from holding any office, nor to deprive any alderman of any emoluments or fees to which he may be entitled by virtue of his office: *Provided*, That the annual salary of the mayor and aldermen shall not exceed fifty dollars each, for all services rendered under the provisions of this act.

Salary.

Proviso.

SEC. 3. That section twenty of title five of this [said] act be amended so as to read as follows:

Poll tax.

SEC. 20. Every male inhabitant of said city being over twenty-one and under fifty years of age, shall be liable to pay to said city a poll or capitation tax of one dollar annually; and the common council shall, by ordinance, prescribe the time and manner of assessing and collecting said tax, and the penalty for neglect or refusal to comply with the provisions of such ordinance. All taxes and fines received by the city pursuant to this section shall be credited to the highway fund of said city.

SEC. 4. This act shall take immediate effect.

Approved May 22, 1879.

[No. 377.]

AN ACT to provide for the division of the township of Grosse Point in the county of Wayne, into two districts for general election purposes.

First district.

SECTION 1. *The People of the State of Michigan enact*, That so much of the township of Grosse Point, in the county of Wayne, lying one hundred rods northerly and westerly of a line parallel with the Mack road, so called, beginning at the base line of Macomb county and extending southerly and westerly across said township of Grosse Point to the westerly line thereof, shall be known as the first election district, and the November general election in said district shall be held at such place in such district as the township board thereof may direct, and all of said township of Grosse Point which is situated easterly and southerly of the

aforesaid line shall be known as the second election district, and the November general elections shall be held in said second district in such place as the township board thereof shall direct: *Provided*, Second district. Proviso. *however*, That in the second election district the place where the election shall be held shall not be a greater distance than one mile from the center of said second district.

SEC. 2. The township board of said township of Grosse Point shall designate two justices to act with either the supervisor or township clerk as inspectors of election in either of said election districts, as they may determine. Inspectors of election.

SEC. 3. The said board of election in each election district shall conduct said elections in such a manner as the law now provides, and after having counted the votes and announced the result as the law directs, that election board of which the clerk is a member, shall elect one of their number to take charge of the ballot box and returns of said election district, who shall immediately deliver the same to that board of which the supervisor is a member, and said township board shall then make their returns to the board of county canvassers in such manner as the law now provides. Elections, how conducted.

SEC. 4. There shall be two copies of the registration lists made and certified to by the board of registration, one for each election district, containing all the names of qualified electors in each of said election districts for which it was made. Such copies, when so certified to, shall, to all intents and purposes, be as valid as though the original, in the possession of the township clerk, was in possession of said election board: *Provided*, Nothing in this act shall be construed to deprive any one of his right to vote by reason of his removal from one election district to the other within ten days previous to said general election: *And provided further*, That in case either of the inspectors of election in either of said election districts shall reside in the other election district of said township he may vote in that district in which he may be at the time one of the inspectors of election. Registration lists. Proviso.

SEC. 5. This act shall take immediate effect.

Approved May 22, 1879.

[No. 378.]

AN ACT to provide for the collection of state and county taxes in the city of Detroit, repealing acts number two hundred and forty-one of the session laws of eighteen hundred and sixty-three, and number eighty-eight of the session laws of eighteen hundred and sixty-five, amendatory thereto.

SECTION 1. *The People of the State of Michigan enact*, That hereafter when the assessment rolls of the different wards in the city of Detroit, for city taxes, are annually, fully and finally confirmed, as prescribed by the provisions of the city charter, it shall be the duty of the assessor of said city to make a copy of the assessment roll of each of said wards, to be known as the state and State and county tax rolls, how made.

Warrant.	county tax rolls, upon which he shall, upon receipt of the certificate of the clerk of the board of supervisors of said county, stating the amount of taxes apportioned to each ward, ratably assess the state and county taxes, as provided by the general laws of the state, to each of which tax rolls he shall annex a warrant signed by him directed to the county treasurer and made returnable on the first day of March then next ensuing, and to which limit of time there shall be no extension given either by the common council of said city of Detroit, or by the board of supervisors of Wayne county, commanding the county treasurer of Wayne county, to collect from the persons severally named in said roll, the several sums mentioned in the last column thereof, opposite their respective names, with
Fees for collecting.	four per cent as fees for collection; and said warrant shall authorize the said treasurer, in case any person named in any such tax roll shall neglect or refuse to pay his tax, to levy the same by
Distress and sale for taxes.	distress and sale of the goods and chattels of such persons, where-soever the same may be found within the limits of said city; and which tax rolls and warrants the assessor shall deliver over to the
Tax rolls and warrant to be delivered to county treasurer.	treasurer of said county on or before the fifteenth day of November in each year.
Duty of county treasurer on receipt of rolls.	SEC. 2. The county treasurer, upon the receipt of said rolls, is required to cause a notice to be published in two daily papers published in said city for three weeks, stating that said rolls and warrant have been made and deposited in his office by the assessor, where they will remain for thirty days from the date of such notice, during which time said taxes may be paid to the county treasurer without being subject to payment of any percentage for collection, and such treasurer will grant his receipt for every tax so paid, and mark the same as paid on the roll.
Payment to county treasurer.	SEC. 3. The county treasurer shall appoint such collectors as he may deem necessary to collect for him and in his name the taxes which remain unpaid upon the sixteenth day of December of each year. Such collectors shall give bonds to the county treasurer in such amount as he may require, and shall be conditioned as township treasurer's bonds now are required to be. Said bonds and the sureties thereto shall be approved by said treasurer, and the said collectors and their respective sureties shall be subject to be proceeded against for the non-performance of their duties as said township treasurers may be.
County treasurer to appoint collectors, etc.	SEC. 4. The county treasurer shall retain the original tax rolls in his office as prepared by the city assessor, and shall prepare a duplicate abstract of taxes unpaid for the use of the collectors appointed by said treasurer, to be used by them in making collections, and to which abstracts shall be annexed certified copies of the original warrants. The said treasurer shall add four per cent to all taxes collected by him or his collectors between the sixteenth day of December and the first day of March following in each year and shall be entitled to two per cent on all taxes returned as delinquent. The said treasurer shall be responsible for the acts of his collectors. The expenses and services of said collectors shall be paid by said county treasurer, and shall not be a charge to the city or county.
Abstracts of taxes unpaid to be furnished collectors with copies of warrant, etc.	
Treasurer responsible for acts of collector and to pay them for services.	

SEC. 5. If any of the taxes mentioned in said tax rolls or abstracts thereof shall remain uncollected on the first day of March it shall be the duty of the county treasurer as soon thereafter as may be to make out a statement for each ward, of the taxes so remaining uncollected with a full and perfect description of the property, and said statement shall be certified by the treasurer as correct and filed in his office, and it shall be the duty of said county treasurer in due time to make returns to the auditor general of such unpaid taxes according to law. Unpaid taxes returned to auditor general.

SEC. 6. Act number two hundred and forty-one of session laws of eighteen hundred and sixty-three, and act number eighty-eight, of session laws of eighteen hundred and sixty-five, are hereby repealed. Acts repealed.

SEC. 7. This act shall take immediate effect.

Approved May 22, 1879.

[No. 379.]

AN ACT to amend sections three and thirty-three of title four; sections seven, eight, and nine of title five; and to amend section twelve of title ten, of an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act to incorporate the city of Grand Rapids, approved April second, eighteen hundred and fifty, as amended by the several acts amendatory thereof, approved March twenty-ninth, eighteen hundred and seventy-seven.

SECTION 1. *The People of the State of Michigan enact, That* sections three and thirty-three of title four of an act entitled "An act to revise the charter of the city of Grand Rapids," being amendatory of an act to incorporate the city of Grand Rapids, approved April second, eighteen hundred and fifty, as amended by the several acts amendatory thereof, approved March twenty-ninth, eighteen hundred and seventy-seven, be and the same are hereby amended so as to read as follows: Sections amended.

SEC. 3. It shall be the duty of every alderman in said city, to attend all the regular and special meetings of the common council, to act upon committees when thereunto appointed by the mayor or common council, to order the arrest of all persons violating the laws of this state, or the ordinances, by-laws, or police regulations of the city, to report to the mayor all subordinate officers who are guilty of any official misconduct or neglect of duty, to maintain peace and good order, and to perform all other duties required of them by this act; and said aldermen shall be entitled to receive as compensation from the city for their services the sum of two dollars each for each session of the common council actually attended during their term of office: *Provided, however, That they shall not be entitled to receive pay for more than seventy sessions in any one year.* Duty of aldermen.
Compensation.
Proviso.

SEC. 33. The common council shall annually determine the sal-

Salary of city officers, and how fixed.

ary or compensation to be paid to the several officers of said city, within the limitations hereinafter prescribed, and which shall be as follows, to wit: To the city clerk, in addition to the fees and perquisites prescribed by law, a sum not exceeding one thousand dollars per annum; to the treasurer a sum not exceeding four hundred dollars per annum; to the marshal for services performed, other than for the collection of taxes, a sum not exceeding two dollars per day; to each of the commissioners of city cemeteries, a sum not exceeding one hundred dollars per annum; to the comptroller, such sum not exceeding eight hundred dollars per annum as the common council may deem just; and to the city attorney such sum, not exceeding fifteen hundred dollars per annum, as the common council may deem just; and said council may establish the fee and salary to be paid to all other officers whose fees or salaries are not prescribed by law, for services rendered or to be performed for said city, in all cases where such fees or salaries are required to be paid from the city treasury; the clerk of said city is hereby authorized to administer all oaths required to be administered by the provisions of this act, but shall not be entitled to receive any extra compensation or fees for said service.

Clerk authorized to administer oaths.

Sections amended.

SEC. 2. That sections seven, eight, and nine, of title five, be and the same are hereby amended so as to read as follows:

Assessment by supervisors.

SEC. 7. The supervisors of said city shall, in each year, make and complete the assessment of all the real and personal property within their respective wards, in the manner required by law for the assessment of property in the several townships in this state, and on or before the last Monday in May in each year they shall deliver their assessment rolls to one of the members of the board of review and equalization, and in doing so, they shall conform to the provisions of law governing the action of supervisors of the several townships in this state, except as to the time limited for the completion of their assessment rolls, and for delivering the same to the board of review and equalization performing like services, and in all other respects, within their respective wards, they shall, unless when otherwise in this act provided, conform to the provisions of the law governing the action of the supervisors in the several townships of this state, in the assessment of property, the levying of taxes, and issuing of warrants for the collection and return thereof; and they shall also, in each year, within thirty days after receiving their rolls from the board of review and equalization, make and file with the city clerk of said city a true and certified copy of the assessment rolls of their respective wards for each year, and said city clerk shall receive and file the same in his office.

Certified copy of assessment roll to be filed with clerk.

Duty of board of review.

SEC. 8. It shall be the duty of the board of review and equalization to receive and review the assessment rolls of the several wards of said city; and they shall give notice by advertising in at least two newspapers printed and published in said city three days next preceding said review, of the time and place of holding such review; and the said board shall have the same power to examine, under oath, any persons considering themselves aggrieved, and to alter the valuation of said assessment rolls, both as to real and

personal property, as the supervisors of the several townships of this state, when acting individually in the premises in their several townships and wards, and they are authorized to alter, amend, and correct any assessment or valuation, or description, and to place upon the assessment rolls of the proper wards any taxable property, real or personal, not already assessed, held or owned by any person or persons, and to strike from said roll any property wrongfully thereon. They shall, for this purpose, meet on the last Monday in May in each year, and be present at their office from eight o'clock in the forenoon until twelve o'clock noon, and from one o'clock in the afternoon until five o'clock in the afternoon, for the purpose of reviewing said assessment rolls, and so on until and including Wednesday of the next succeeding week. They shall have their office near the center of the business portion of the city, to be furnished at the expense of said city.

Meeting of
board.

SEC. 9. It shall be the duty of said board of review and equalization, on the Thursday preceding the second Monday in June, in each year, or as soon thereafter as may be, to examine and ascertain whether the real estate in the respective wards has been equally and uniformly estimated. If, on such examination, they shall deem such valuation to be relatively unequal, they shall equalize the same by adding to or deducting from the valuation of the taxable property in the ward or wards, such an amount as, in their judgment, will produce relatively an equal and uniform valuation of the real estate, and the amount added to or deducted from the valuation of each ward shall be so stated in the certificate attached to said assessment rolls, and all taxes for state, county, school and general city purposes shall be apportioned according to said equalization; and said equalization shall not be changed with regard to the relative valuation of the several wards of said city: *Provided*, That nothing herein contained shall prevent the board of supervisors of the county of Kent from equalizing said city of Grand Rapids as a township of said county.

Equalization by
board.

SEC. 3. That section twelve of title ten be and the same is hereby amended so as to read as follows:

Section
amended.

SEC. 12. For the purpose of purchasing sites for and constructing a city almshouse, city hall, city market or any other public buildings, or for constructing or rebuilding bridges across Grand River within the limits of said city, or for building, extending or enlarging the water works or any portion thereof, in said city, the common council may borrow, on the faith of said city, such sums of money, for either of such purposes, as the common council may deem expedient, for a term of years not exceeding twenty, at a rate of interest not exceeding seven per cent per annum, and for such purpose may issue the bonds of the city, signed by the mayor and countersigned by the comptroller thereof, and in such form and sums as the common council may direct, and such bonds shall be disposed of under the direction of the common council or the mayor of said city, upon such terms as may be advisable, but not for less than the par value thereof, and the avails thereof shall be applied to the purposes for which the same was executed, and for no other

Council may
borrow money to
build public
buildings.

Rate of interest.

How bonds dis-
posed of.

Proviso as to
submission to
electors.

purpose: *Provided*, That nothing in this act contained shall be so construed as to authorize the incurring of any bonded indebtedness against said city of Grand Rapids, for any of the purposes above specified, unless the qualified electors, who are resident tax-payers of said city, voting in their respective wards, shall have authorized the issuing of said bonds by a majority of their votes cast at any regular election or at a special election called for the purpose of voting upon such question, except such as are expressly authorized by section nineteen of title five of this act, and except for the purpose of rebuilding or replacing any bridge across Grand River, in said city, which shall have been destroyed, and for the purpose of repairing or rebuilding any portion of the water works of said city which may have been damaged or destroyed, which bonds shall not exceed the sum of twenty-five thousand dollars, and shall not be required to be submitted as aforesaid.

As to bridges.

As to water
works.

SEC. 4. This act shall take immediate effect.

Approved May 23, 1879.

[No. 380.]

AN ACT to amend sections eight, eleven, twelve, thirteen, twenty-three, twenty-six, thirty, thirty-five, thirty-nine, forty-two, forty-three, forty-five, forty-nine, fifty-seven, sixty-four, sixty-six, one hundred and nineteen, one hundred and fifty-eight, and one hundred and fifty-nine of act number two hundred and ninety-eight of the session laws of eighteen hundred and seventy-five, entitled "An act to revise and amend the charter of the city of Muskegon."

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That sections eight, eleven, twelve, thirteen, twenty-three, twenty-six, thirty, thirty-five, thirty-nine, forty-two, forty-three, forty-five, forty-nine, fifty-seven, sixty-four, sixty-six, one hundred and nineteen, one hundred and fifty-eight, and one hundred and fifty-nine, of act number two hundred and ninety-eight of the session laws of eighteen hundred and seventy-five, entitled "An act to revise and amend the charter of the city of Muskegon," being amendatory of an act entitled "An act to revise and amend an act entitled 'An act to incorporate the city of Muskegon,'" approved March twenty-ninth, eighteen hundred and seventy-one, be and the same are hereby so amended that said sections shall respectively read as hereinafter set forth. That section eight be and the same is hereby amended so that the same shall read as follows:

Officers.

SEC. 8. The officers of said city shall be one mayor, one treasurer, one recorder who shall be *ex officio* school inspector, one school inspector, two directors of the poor, and four justices of the peace, who shall be designated "city officers," also two aldermen, one supervisor and one constable in each ward, who shall be designated "ward officers." Said officers shall be elected as follows, to wit: The mayor, treasurer, supervisors, school inspector, and constables

Election of.

shall be elected annually, and shall hold their respective offices one year, and until their successors shall be elected and qualified. The recorder, directors of the poor, and aldermen shall hold their respective offices for two years, and until their successors are elected and qualified. At each annual election there shall be elected one justice of the peace for the term of four years, and such a number of justices of the peace as may be necessary to fill the vacancies then existing. At each annual election there shall be elected in and for each of the several wards of said city, one supervisor, who shall hold his office for the term of one year, and until his successor shall be elected and qualified, and one alderman, who shall hold his office for the term of two years, and until his successor shall be elected and qualified: *Provided*, That no person elected to fill a vacancy shall hold any office provided for in this act for a longer time than during such unexpired term unless again elected: *Provided*, That the officers elected or appointed in pursuance of the act of which this act is amendatory, shall hold their respective offices until the expiration of their several terms, unless such offices shall otherwise become vacant, and the ward officers shall hold their respective offices until the expiration of their respective terms.

Terms of office.

Proviso.

Officers in office to hold until term expires.

SEC. 2. That section eleven be and the same is hereby amended so that the same shall read as follows:

SEC. 11. The mayor, when present, shall preside at the meetings of the common council, and in his absence the president *pro tem.* shall preside; but if both mayor and president *pro tem.* be absent then the common council shall appoint one of their number who shall preside. The common council at the first meeting in the month of May in each year, or as soon thereafter as may be, shall elect one of the aldermen of said city, president *pro tem.* of said council, who shall hold said office one year, unless the term of office of said alderman shall sooner become vacant.

Who to preside at meetings of council.

Election of president pro tem.

SEC. 3. That section twelve be and the same is hereby amended so that the same shall read as follows:

SEC. 12. The recorder shall be clerk of the common council, and shall give bonds for the faithful performance of his duties in such sums as the common council shall by ordinance direct; and shall keep a record of their proceedings, in proper books provided therefor; and shall open and keep books of account, and such other books of receipts and expenditures as the common council may direct, and in such form and manner as they may order. He shall have such powers and perform for the city all such duties as township clerks have and are required by law to perform for the several townships. The recorder shall, by virtue of his office, be authorized to take acknowledgment of deeds and other instruments in writing, to administer oaths and affirmations, and may affix to any official certificate the seal of said city.

Powers and duties of recorder.

SEC. 4. That section thirteen be and the same is hereby amended so that the same shall read as follows:

SEC. 13. The president *pro tem.* shall possess the same powers and perform and discharge the municipal duties of mayor during

President pro tem., duties, etc.

the absence or inability, death, resignation, or removal of the mayor.

SEC. 5. That section twenty-three be and the same is hereby amended so that the same shall read as follows:

Money to be
drawn by war-
rant.

SEC. 23. All moncoys drawn from the treasury shall be drawn in pursuance of an order of the common council, by warrant, signed by the recorder and countersigned by the mayor, or, in case of a vacancy in said office of mayor or in the absence of the mayor from the city, by the acting mayor. Such warrant shall specify for what purpose the amount named therein is to be paid, and the treasurer shall keep an accurate account, under appropriate heads, of all the warrants paid by him, and his books shall be open to the inspection of any elector of the city at all reasonable hours. The treasurer shall exhibit to the common council, at their last regular meeting in the month of March and at such other times as the common council may require, a full and fair account of the receipts and expenditures from and after the date of the last annual report, and also the state of the treasury, which account shall be referred to a committee for examination and, if found correct, shall be filed.

Annual financial
exhibit.

SEC. 6. That section twenty-six be and the same is hereby amended so that the same shall read as follows:

Compensation of
officers.

SEC. 26. The officers of said corporation shall be entitled to receive out of the city treasury the following sums in full payment for their services. The mayor shall not be entitled to receive any compensation. The recorder and attorney shall be entitled to receive, respectively, such sums as the common council may allow, not exceeding one thousand dollars per annum; the marshal shall be entitled to receive the same fees for serving process in behalf of the corporation as constables are allowed for similar services, and he shall also receive such further compensation, not exceeding twenty-five dollars per annum, as the common council shall allow; the treasurer, supervisors, justices of the peace, marshal, and constables shall be allowed the same fees as are by law allowed to corresponding township officers, unless in this act otherwise provided; the street commissioners shall be entitled to receive a per diem allowance, to be determined by the common council, but in no case to exceed three dollars per day for his services and at the same rate for parts of days actually employed; the directors of the poor and school inspector shall be entitled to receive such compensation as the common council shall allow, not exceeding two dollars per day for every day actually employed in the performance of the duty of their respective offices; the aldermen shall not be allowed to receive more than one hundred dollars each in any year as compensation for their services; the recorder, when performing such duties as are by the general laws of this State required of township clerks, shall receive therefor the same fees as such clerks are entitled to by such general law for such services: *Provided*, said recorder shall not receive any fees or salary when acting as clerk or recorder of the proceedings of the common council or board of health, excepting said sum of one thousand dollars as herein pro-

Proviso.

vided. The common council shall determine the fees or salary of the water commissioners, sewer commissioners, or other officers, the election or appointment of whom is provided in this act, whose fees or salary is not herein otherwise limited or provided. Council to determine fees of certain officers.

SEC. 7. That section thirty be and the same is hereby amended so that the same shall read as follows:

SEC. 30. The mayor and aldermen of said city shall constitute the common council. They shall meet at such times and places as they shall from time to time appoint, and on special occasions whenever the mayor, or in case of vacancy in the office of mayor or of his absence from the city or inability to officiate, then the president *pro tem.* shall, by written notice, appoint, and which notice shall be served on the members and for such time as the common council may by ordinance direct. Who to constitute council. Meetings of.

SEC. 8. That section thirty-five be and the same is hereby amended so that the same shall read as follows:

SEC. 35. In the proceedings of the common council each member present shall have one vote, except the mayor and recorder, and the mayor, if presiding, shall in all cases have a casting vote when the votes of the other members are equally divided, unless herein otherwise provided. Who to vote in council.

SEC. 9. That section thirty-nine be and the same is hereby amended so that the same shall read as follows:

SEC. 39. No member of the common council, during the term for which he was elected, shall be appointed to, or be competent to hold, any office, the emoluments of which are paid out of the city treasury, or paid by any by-law, resolution, or ordinance of the common council, or be directly or indirectly interested in the sale to or purchase from the city of any property, or be directly or indirectly interested in any contract as principal, surety, or otherwise, the expenses or consideration whereof is paid under any ordinance, by-law, or resolution of the common council; and no other officer of said city shall be interested, directly or indirectly, in the purchase or sale of such property, or in such contract; but this section shall not be construed to prevent the recorder from receiving any salary which may be fixed by the common council, nor from holding any office, nor to deprive any alderman of any emolument or fee to which he may be entitled by virtue of his office, subject to the limitations contained in this act. Members of council not to hold offices for which city pays fees, etc. But recorder may receive salary and aldermen fees.

SEC. 10. That section forty-two be and the same is hereby amended so that the same shall read as follows:

SEC. 42. On or before the first day of May of each year, or whenever a vacancy shall occur, the mayor shall nominate a suitable person to fill each of the following offices: one marshal, one street commissioner, one city attorney, one city surveyor, and one city harbor master; also, so many police, constables, pound-masters, inspectors of fire-wood, sealers of weights and measures, and such other officers as may be necessary to carry into effect the powers herein granted, and as the common council may, from time to time, direct; the common council, a quorum being present, shall thereupon proceed to act upon such nominations respectively, Appointed officers.

Term of office.

Mayor may
suspend ap-
pointed officers.General powers
of council.

in the manner following: the mayor, if presiding, shall vacate the chair, and the president *pro tem.* shall occupy the same. The vote shall then be taken on each of said nominations, and the persons receiving the vote of a majority of the aldermen present shall thereupon be declared duly appointed; those not receiving such vote shall be declared rejected. The mayor may then submit the names of other persons to the common council to fill the vacancies occasioned by such rejections; whereupon the same proceedings shall be had to confirm the same as aforesaid, and until all of such vacancies are filled; such officers shall hold their respective offices until the first day of May of the year next thereafter, unless such officers are removed or suspended, or unless such offices become otherwise vacant as provided in this act. The mayor may suspend any of the officers named in this section for good cause and upon filing a statement of his reason or reasons for so doing in the office of the recorder.

SEC. 11. That section forty-three be and the same is hereby amended so that the same shall read as follows:

SEC. 43. The common council in addition to the powers and duty conferred upon them in this act, shall have the management and control of the finances, rights and interests, buildings and all property, real and personal, belonging to the city; and make such orders and by-laws relating to the same as they shall deem proper and necessary, excepting as provided in this act: *And further,* They shall have power within said city, to enact, make, continue, establish, modify, amend and repeal such ordinances, by-laws and regulations as they deem advisable within said city for the following purposes:

First, To prevent vice and immorality; to preserve the public peace and good order; to regulate the police of the city; to prevent and quell riots, disturbances and disorderly assemblages;

Second, To restrain and prevent disorderly and gaming houses and houses of ill-fame, all instruments and devices used for gaming; and to prohibit all gaming and fraudulent devices, and to license, regulate or restrain billiard tables or bowling alleys;

Third, To forbid and prevent the vending or other disposition of liquors and intoxicating drinks, in violation of the laws of this State; to provide for and require the closing of saloons, restaurants and other places where intoxicating liquors are sold on Sunday, and at such other days and times as common council may by ordinance determine; and to prohibit, restrain and regulate the sale of goods, wares and personal property at auction, except in cases of sales authorized by law, and to fix the fees to be paid by and to auctioneers;

Fourth, To prohibit, restrain, license and regulate all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, circuses or other public performances or exhibitions for money;

Fifth, To abate and remove nuisances of every kind and to compel the owner or occupant of every grocery, tallow chandler's shop, butcher's stall, soap factory, tannery, stable, privy, hog-pen,

sewer or other offensive or unwholesome house or place, to cleanse, *Idem.* abate or remove the same from time to time, as often as they may deem necessary for the health, comfort and convenience of the inhabitants of said city;

Sixth, To direct the location of all slaughter-houses, markets, and buildings for the storing of gunpowder and other combustible and explosive substances;

Seventh, Concerning the buying, carrying and selling gunpowder, fire-crackers or fire-works manufactured and prepared therefrom, or other combustible materials, and the exhibition of fire-works, and the discharge of fire-arms, and the light in barns, stables and other buildings, and to restrain the making of bonfires in streets and yards:

Eighth, To prevent the incumbering of streets, sidewalks, crosswalks, lanes, alleys, bridges, aqueducts, wharves or slips in any manner whatever, and to regulate and provide for the anchorage, movement, shifting, and removal of any and all water crafts being and lying in the Muskegon lake or river, or in front of or in any dock, wharf, or slip in said city;

Ninth, To determine and designate the route and grades of any railroads to be laid in said city, and to restrain and regulate the use of locomotives, engines and cars upon the railroads within the city: *Provided,* Such designation or determination shall not affect the right or claim of any persons for damages sustained in consequence of the building of such railroad: *Provided further,* That no person or persons, or corporation shall build any railroad track intended for the passage of locomotive engines, or run, or cause to be run any locomotive engine on any track, any part of which track shall be nearer than twenty rods to any part of any lot or block occupied for the purpose of the union or any ward school of the said city of Muskegon;

Tenth, To prohibit or regulate bathing in any public waters, or in any open or conspicuous place, or any indecent exposure of the person in the city;

Eleventh, To restrain and punish drunkards, vagrants, mendicants, tramps, and street beggars;

Twelfth, To establish and regulate one or more pounds, and to restrain and regulate the running at large of horses, cattle, swine and other animals, geese and other poultry, and to authorize the impounding and sale of the same for the penalty incurred, and the costs of keeping and impounding;

Thirteenth, To provide for the issuing of licenses to the owners and keepers of dogs, and to compel the owners and keepers thereof to pay for, and obtain such licenses, and to authorize the killing of all dogs not so licensed;

Fourteenth, To prohibit any person from bringing or depositing within the limits of said city, any dead carcasses or other unwholesome or offensive substances, and to require the removal or destruction thereof, if any person shall have on his premises such substances or any putrid meats, fish, hides or skins of any kind,

General powers
of council.

and on his default, to authorize the removal or destruction thereof, as a public nuisance, by some officer of the city;

Fifteenth, To compel all persons to build sidewalks in front of premises owned or occupied by them, to keep the same in repair and clear from snow, ice, dirt, wood, or obstructions;

Sixteenth, To regulate the ringing of bells, and the crying of goods and other commodities for sale at auction or otherwise, and to prevent disturbing noises in the streets;

Seventeenth, To appoint and prescribe the powers and duties of watchmen, and the fines and penalties for their delinquencies;

Eighteenth, To prohibit, restrain, or regulate within such parts of the city as they may deem expedient, and prescribe the building, rebuilding, enlarging, repairing, or placing of wooden buildings therein; to prohibit, restrain, or regulate the erection of any mill or other building of a combustible nature that is being erected or intended to be erected in such a locality or manner as to endanger the safety of said city; to regulate and establish the line upon which buildings may be erected upon any street, lane, or alley in said city, and to compel such buildings to be erected upon such line, by fines upon the owner or builder thereof, not to exceed five hundred dollars;

Nineteenth, To provide for obtaining, holding, regulating, and managing burying grounds within or without the city when established for the benefit thereof, to regulate the burial of the dead, and to compel the keeping and return of the bills of mortality;

Twentieth, To prevent and punish horse-racing and immoderate riding or driving in any street, and to authorize the stopping and detaining any person who shall be guilty of immoderate driving or riding in any street;

Twenty-first, To establish, order and regulate the markets, to regulate the vending of wood, hay, meat, vegetables, fruits, fish, and provisions of all kinds, and to prescribe the time and place of selling the same, and the fees to be paid by butchers for license, to prohibit the sale of unwholesome meat, poultry, fish, vegetables, or other articles of food or provisions, impure, spurious, or adulterated wines, spirituous liquors, or beer, or knowingly keeping or offering the same for sale: *Provided*, That nothing herein contained shall authorize the common council to restrict in any way the sale of fresh and wholesome meats by the quarter, within the limits of the city;

Twenty-second, To establish, regulate, and preserve public reservoirs, wells, penstocks, and pumps, and to prevent the waste of water; to authorize and empower under such regulations, and under such terms and conditions as they may choose, the laying of water-pipes in the streets and alleys of the city for the purpose of supplying the inhabitants of said city with water, and to regulate the supply and use of the water;

Twenty-third, To establish, operate, and maintain water-works within said city for a protection against fire, and the supplying of

the inhabitants with water and to regulate the supply and use of *Idem.* the water;

Twenty-fourth, To regulate sextons and undertakers for burying the dead, cartmen and their carts, hackney carriages and their drivers, omnibuses and their drivers, scavengers, porters, and chimney sweeps, and their fees and compensation, and to make regulations for preventing auctions, peddling, pawn-brokerage; or using for hire carts, drays, cabs, hacks, or any kind of carriages or vehicles, or opening or keeping any tavern, hotel, victualing house, saloon, or other house or place for furnishing meals, food, or drink, or billiard tables, ball alleys, without first obtaining from the common council license therefor; for licensing and regulating carts, drays, cabs, hacks, and all carriages and vehicles kept for use or hire, auctioneers, peddlers, pawn-brokers, auctions, peddling, pawn-brokerage, taverns, hotels, victualing-houses, saloons, or other houses or places for furnishing meals, food, or drink, and keepers of billiard tables and ball alleys, not used for gaming: *Provided*, That no such license shall authorize the sale of any spirituous or malt liquors;

Twenty-fifth, To regulate or prevent runners, stage-drivers and others in soliciting passengers and others to travel or ride in any stage, omnibus, or upon any railroad, or go to any hotel, or otherwise;

Twenty-sixth, To provide for and regulate the numbering of the buildings upon the streets or alleys, and to compel the owners or occupants of buildings to affix numbers on the same;

Twenty-seventh, To make regulations for the lighting of the streets and villages, and the protection and safety of public lamps;

Twenty-eighth, To prescribe the duties of all officers appointed by the common council, and their compensation, excepting as herein otherwise provided, and the penalty or penalties for failing to perform such duties, and to prescribe the bonds and sureties to be given by the officers of the city for the discharge of their duties, and the time for executing the same, in cases not otherwise provided for by law;

Twenty-ninth, To preserve the salubrity of the waters of Muskegon lake and river, or other waters within the limits of the city; to prohibit and prevent the depositing therein of all filthy and other matter tending to render said water impure, unwholesome, or offensive; to preserve and regulate the navigation of said river within the limits of the city; to prohibit and prevent the depositing or keeping therein any structure, earth, or substance tending to obstruct or impair the navigation thereof, and to remove all obstructions that may at any time occur therein, and to direct and regulate the stationing, enclosing, and mooring of vessels, and laying out of cargoes and ballast from the same; to fill up all low grounds, of lots covered, or partially covered, with water, or to drain the same, as they may deem expedient; to regulate the cutting of ice in Muskegon lake;

Thirtieth, To prescribe and designate the stands for carriages of all kinds, which carry passengers for hire, and carts and carters,

General powers
of council.

and to prescribe the rates of fare and charges, and the stand and stands for wood, hay and produce exposed for sale in said city;

Thirty-first, To provide for taking the census of the inhabitants of said city whenever they may see fit, and to direct and regulate the same;

Thirty-second, To establish a grade for streets and sidewalks, and cause the same to be constructed in accordance with the same;

Thirty-third, They shall have authority to enact all ordinances and to make all such regulations, consistent with the laws and constitution of the state, as they may deem necessary for the safety, order and good government of said city and the general welfare of the inhabitants thereof, and to this end the said common council may impose fines and penalties for any violation of the by-laws and ordinances which may be made by them as aforesaid.

SEC. 12. That section forty-five be and the same is hereby amended so that the same shall read as follows:

Time beyond
which no license
shall be granted.

SEC. 45. No license shall be granted for any term beyond the first Monday in May of the year next succeeding that in which such license is granted.

SEC. 13. That section forty-nine be and the same is hereby amended so that the same shall read as follows:

Appointment of
police justice—
term of office.

SEC. 49. The common council of said city, at any of their meetings in the month of April in each year, may designate and appoint any one of the justices of the peace of said city, whose term of office will not that year expire, as a police justice. Such police justice shall hold his office of police justice during the pleasure of the common council, but not beyond the first Monday in May of the year next succeeding the year of his appointment, unless he shall be re-appointed to said office. Before he shall enter upon the discharge of his duties as police justice he shall give bond to the city of Muskegon, in such sums as the common council may direct, with one or more sufficient sureties, to be approved by the mayor, conditioned for the faithful performance of the duties of his office, and to account for and pay over all moneys which shall come into his hands, belonging to said city, to the treasurer thereof at the expiration of every month during the time he shall continue in office, which bond shall be filed with the recorder.

Bond.

SEC. 14. That section fifty-seven be and the same is hereby amended so that the same shall read as follows:

City tax.

SEC. 57. It shall be the duty of the common council, on or before the first day of October, in each year, to determine, by resolution, the amount necessary to be raised by tax for city purposes within said city for such year, to be denominated the contingent fund, and also the amount necessary to be raised for the payment of the public debt of the city and the interest thereon, to be denominated the interest fund, and to apportion said amounts so to be raised among the several wards of said city, according to the valuation of the property appearing upon the assessment rolls of said several wards for such year, as equalized by the board of supervisors of Muskegon county for such year, and within five days the recorder shall notify each of the supervisors of the several

Apportionment.

wards of said city of the amount so apportioned to their respective wards, and it is hereby made the duty of the supervisor of each of the several wards of said city to levy the amount so apportioned to his respective ward, and such other taxes as may be required by law, upon the taxable property of such ward, in the same manner as taxes for township purposes are required by law to be levied by the supervisors of the townships of this State. Levy of tax.

SEC. 15. That section sixty-four be and the same is hereby amended so that the same shall read as follows:

SEC. 64. The common council shall, on or before the first day of June in each year, determine the amount necessary to be raised in each ward of said city for such year for highway purposes, not exceeding one quarter of one per cent on the assessed valuation of such wards, and shall provide for the levying, assessing, collecting, and expending the same in the same manner as provided in the general laws relating to townships of this State: *Provided*, That the common council may provide that such highway tax may be collected at the same time and in the same manner as the State and county taxes are collected. Highway tax. Limit. Proviso.

SEC. 16. That section sixty-six be and the same is hereby amended so that the same shall read as follows:

SEC. 66. Whenever the common council shall deem it necessary to issue the bonds of the city for any purpose, they shall call a meeting of the electors thereof, by posting notices in five of the most conspicuous places in said city and by publication in one or more newspapers published therein, at least eight days previous to the time of said meeting, giving notice of the time and place of such meeting, also specifying the amount of and object for which it is proposed to issue said bonds. The mayor, or in his absence, the president *pro tem.*, shall preside at such meeting, and the electors shall choose, *viva voce* from among their number the inspectors and clerk of said election, who shall, before proceeding to the discharge of their duties, take an oath or affirmation faithfully to discharge the duties of their respective offices at such elections, which oath or affirmation may be administered by any person authorized to administer oaths. Said election shall be conducted in the same manner, and the canvass of votes, as near as may be, as the annual city election. At the close of such election the inspectors shall make two certificates of the number of votes given for and against such issue of bonds, one of which shall be forthwith deposited with the recorder of said city and the other filed in the office of the clerk of the county of Muskegon. Vote of electors on issuing bonds. Inspectors of elections. Election, how conducted.

SEC. 17. That section one hundred and nineteen be and the same is hereby amended so that the same shall read as follows:

SEC. 119. The common council may appropriate private property for the public use, for the purpose of opening, widening, altering, and extending streets, alleys, and avenues; for construction of bridges; for public grounds, parks, market places; for sewers, drains, ditches, and outlets and discharges for the same; for water-works and the procuring of a supply of water, and for land necessary for public building [buildings] and public cemeteries, to which Appropriating private property for streets, etc.

end the common council may acquire such land and property by negotiation and purchase or by condemnation and appraisal as hereinafter stated.

SEC. 18. That section one hundred and fifty-eight be and the same is hereby amended so that the same shall read as follows :

Detailed state-
ment of receipts
and expenditures
to be published.

SEC. 158. The common council shall during the first two weeks in the month of April of each year make out a detailed statement of all the receipts and expenditures of the corporation for the year then closing, and it shall also specify all appropriations made by the common council during the year, and the particular purpose for which each appropriation was made. Such statement shall be signed by the mayor and recorder, and filed in the recorder's office, and a copy thereof shall be published in two newspapers printed in said city.

SEC. 19. That section one hundred and fifty-nine be and the same is hereby amended so that the same shall read as follows :

Board of regis-
tration.

SEC. 159. The aldermen of each ward shall constitute a board of registration for said wards respectively. In case any alderman may be absent or unable to attend any meeting of the board of registration, the other members of said board may choose a competent elector of said ward to act as a member of said board. The time of the day the board shall be in session, the mode of proceeding at said meetings, and all laws relating to registration of electors, the use of such register when completed, and not inconsistent with the provisions of this act, are hereby declared to be in full force and effect in relation to the proceedings at said meetings of said board. It shall be the duty of the common council to provide for a registration of the voters of the city of Muskegon, on the Saturday next previous to the first Monday of April, in the year eighteen hundred and eighty, and on the same day of each fourth year thereafter. For this purpose the common council shall provide a new registration book for each of the wards of said city, and shall give the necessary notices of such new registration at the time and manner as required by law in other cases, and shall make in each of said wards a new and complete registration of the voters of said ward [wards] respectively on said day, and on the same day of each fourth year thereafter ; and no person shall be allowed to vote at the election or elections succeeding said new registration, unless the name of such voter shall be found on the new registration book of the proper ward, excepting in case of sickness or other inability of such voter to be present as provided by the general law of this state.

Notices of regis-
tration.

SEC. 20. This act shall take immediate effect.

Approved May 23, 1879.

[No. 381.]

AN ACT to provide for the compensation and to prescribe the duties of certain officers of the county of Wayne.

SECTION 1. *The People of the State of Michigan enact*, That the treasurer of the county of Wayne shall receive a salary of not less than three thousand dollars (\$3,000) nor more than five thousand dollars (\$5,000) per annum; that the prosecuting attorney, county clerk, and register of deeds of the county of Wayne shall each receive a salary of not less than two thousand five hundred dollars (\$2,500) nor more than three thousand five hundred dollars (\$3,500) per annum; that the salaries of said county treasurer, prosecuting attorney, county clerk, and register of deeds shall be fixed by the board of county auditors and shall neither be increased nor diminished during the term for which said officers shall be elected. The officers named shall not be entitled to any compensation other than said salary for the performance and discharge of any duties growing out of their office or any office the duties of which they exercise by virtue thereof. Salary of county officers.

SEC. 2. It shall be the duty of the officers in the foregoing section named to collect all the fees now provided by law except as provided in section three of this act for the performance of duties growing out of their said offices. Officers to collect fees.

SEC. 3. Before any suit at law shall be commenced in the circuit court for the county of Wayne, or any appeal from the probate court for Wayne county shall be filed, or any appeal or *certiorari* from a justice of the peace shall be filed, there shall be paid to the county clerk, by the party commencing such suit, the sum of two dollars, and before any judgment shall be entered on default or on cognovit the further sum of two dollars by the prevailing party. In any other judgments there shall be paid by the prevailing party to said clerk the sum of three dollars. Before any suit or proceedings in chancery shall be commenced, there shall be paid to said clerk, by the complainant or party instituting such proceeding, the sum of two dollars, and before any decree shall be entered on any bill taken as confessed by all the defendants the further sum of two dollars, and a like sum shall be paid upon the granting of any order to sell the real estate of infants where the same is not resisted, and a like sum before the entry of any decree upon bill, demurer, or plea to be paid by the party in whose favor such decree shall be granted, and in all other cases the further sum of two dollars. The moneys so paid shall be paid over to the county treasurer as provided in section two of this act, and the same shall be held to be in full of all entry fees, reporter's fees, jury fees, and all fees of the clerk of said court in any suit from the commencement thereof to and including the issuing of executions or other final process, the sum or sums so paid shall be taxed as costs of suit in favor of the party paying the same if he be the prevailing party in such suit: *Provided*, That if a jury shall not be demanded the sum so paid before entry of judgment shall be two dollars. Fees in courts. Fees to be paid to county treasurer. Proviso.

SEC. 4. The fees collected by the foregoing named officers shall

When fees paid
to treasurer, etc.

be paid to the county treasurer on the last Saturday of every month and the same shall be for the use of said county and placed to the credit of the general fund. Such payments shall in all cases be accompanied with a statement in writing of the respective officers of the services rendered and fees collected, and that the same is true in every particular, which statement shall be verified by the oath of the officers making the same, that such statement is true.

Official bonds.

SEC. 5. Said officers, except the prosecuting attorney, shall give a bond to the county auditors, with sufficient sureties, to be approved by said board, and in such amount as the board may direct, conditioned for the faithful discharge of the duties growing out of their said offices as prescribed by this act.

Bond of auditors.

SEC. 6. Each member of the board of county auditors shall give a bond, with sufficient sureties, to be approved by the circuit judge of the county of Wayne, in such amount as said judge may direct, conditioned for the faithful discharge of the duties growing out of their said office.

Officers not to
enter on duties
of office until
bond is given.

SEC. 7. No person hereafter elected to the office of county clerk, register of deeds, county treasurer, or county auditor in the county of Wayne shall enter upon the discharge of his duties until he has executed a bond pursuant to the foregoing section. It shall be the duty of said board of county auditors to keep a perfect and exact record of all its proceedings, and such record, signed by at least two members of said board, shall be evidence of the proceedings of said board.

Board to keep
record.

General powers
of board of audi-
tors.

SEC. 8. In addition to the powers now vested by law in said board of county auditors, they shall have power:

First, To prescribe the number of deputies or clerks to be employed in the said offices and to fix the compensation to be paid them, which number and compensation shall be sufficient for the proper transaction of the business of such offices. The principal deputy of the county treasurer and of the county clerk shall receive a salary not less than fifteen hundred, nor more than eighteen hundred dollars. Such deputies and clerks shall be appointed by the said treasurer, county clerk, and register of deeds respectively;

Second, To employ such assistants as they may deem necessary for the proper exercise and discharge of all the power by law vested in said board;

Third, To fix the salary of the coroners of Wayne county, to be received for all services rendered to the county.

Failure to com-
ply with act
misdemeanor.

SEC. 9. Any officer who shall fail to comply with the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in the sum not exceeding five hundred dollars or imprisonment in the county jail, not exceeding six months or both.

When act to take
effect.

SEC. 10. This act shall take effect on the first day of January in the year eighteen hundred and eighty-one.

Acts repealed.

SEC. 11. All acts or parts of acts so far contrary to the provisions of this act are hereby repealed.

Approved May 24, 1879.

[No. 382.]

AN ACT to prohibit spearing or shooting fish in Goguac Lake in the township of Battle Creek, in Calhoun county.

SECTION 1. *The People of the State of Michigan enact*, That it shall not be lawful to take or catch any fish in Goguac Lake in the township of Battle Creek, in the county of Calhoun, with spear, or by shooting them with fire arms. Spearing or shooting fish prohibited.

SEC. 2. Any person violating section one of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to a fine not to exceed fifty dollars and costs of suit, or by imprisonment in the county jail not to exceed thirty days, in the discretion of the court. Penalty.

SEC. 3. This act shall take immediate effect.

Approved May 24, 1879.

[No. 383.]

AN ACT to change the names of Marston Nelson Jones and Martin Parkinson Jones to James Marston Nelson and Martin Bridge Nelson, respectively.

SECTION 1. *The People of the State of Michigan enact*, That the name [of] Marston Nelson Jones, a minor now residing at the city of Grand Rapids, be and the same is hereby changed to James Marston Nelson. Name changed.

SEC. 2. That the name of Martin Parkinson Jones, a minor now residing at the city of Grand Rapids, be and the same is hereby changed to Martin Bridge Nelson. Name changed.

SEC. 3. This act shall take immediate effect.

Approved May 24, 1879.

[No. 384.]

AN ACT to repeal section two of an act entitled "An act to confer certain powers upon the board of county auditors for the county of Wayne," being act number three hundred and seventy-seven of the session laws of eighteen hundred and seventy-three.

SECTION 1. *The People of the State of Michigan enact*, That section two of an act entitled "An act to confer certain powers upon the board of county auditors for the county of Wayne," being act number three hundred and seventy-seven of the session laws of eighteen hundred and seventy-three, be and the same is hereby repealed: *Provided, however*, That this act shall not take effect until January first, eighteen hundred and eighty-one. Act repealed.

Approved May 24, 1879.

[No. 385.]

AN ACT to prevent the catching and killing of fish in certain inland waters of the state of Michigan.

Fishing in Log lake prohibited.

SECTION 1. *The People of the State of Michigan enact*, That for the period of three years next following the passage of this act, it shall not be lawful for any person to catch, kill, or take from, in any manner whatever, any fish in the waters of Log lake, which lake is situate in section ten of Kalkaska township, in Kalkaska county, state of Michigan. And from and after the passage of this act it shall be unlawful for any person or persons to spear any fish in the waters of Clear lake, situate in section twenty-one of township fifteen north of range nine west, in Mecosta county, state of Michigan.

Spearing in Clear lake prohibited.

Penalty.

SEC. 2. Any person or persons violating section one of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall pay a fine of not less than ten dollars and not exceeding one hundred dollars, for each offense, and on failure to pay such fine shall be committed to the county jail not less than ten nor more than ninety days.

Approved May 24, 1879.

[No. 386.]

AN ACT to amend section fifty-three of an act entitled "An act to revise and amend the charter of the city of Ypsilanti," approved May fifth, eighteen hundred and seventy-seven.

Section amended.

SECTION 1. *The People of the State of Michigan enact*, That section fifty-three of an act entitled "An act to revise and amend the charter of the city of Ypsilanti," approved May fifth, eighteen hundred and seventy-seven, be amended so as to read as follows:

Duties of treasurer as to money belonging to city.

SEC. 53. The treasurer shall keep all moneys in his hands belonging to the city, separate and distinct from his own moneys, and he is hereby prohibited from using, either directly or indirectly, the corporation moneys, warrants, or evidences of debt in his custody or keeping, for his own use or benefit, or that of any other person. He shall pay over all fines, penalties, and forfeitures that are paid into the city treasury by any justice of the peace for or on account of violations of the penal laws of the state, into the county treasury, on or before the first Monday of the month next after the receipt thereof, and shall take the receipt of the county treasurer therefor, and file the same with the city clerk. Any violation of this section shall subject him to immediate removal from office by the city council, who are hereby authorized to declare the office vacant, and to appoint his successor for the remainder of his term.

Penalty for violation.

SEC. 2. This act shall take immediate effect.

Approved May 24, 1879.

[No. 387.]

AN ACT to amend sections eight, nine, ten and twenty of title five, and sections forty-four and fifty-four of title six, and to repeal section forty-one of title four and sections eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty-two of title five of an act entitled "An act to incorporate the city of East Saginaw," approved February fifteenth, eighteen hundred and fifty-nine, and the acts amendatory thereof.

SECTION 1. *The People of the State of Michigan enact, That* sections eight, nine, ten and twenty of title five of an act entitled "An act to incorporate the city of East Saginaw," approved February fifteenth, eighteen hundred and fifty-nine, and the acts amendatory thereof, be and the same are hereby amended so as to read as follows: Sections amended.

SEC. 8. Upon the receipts of the tax roll by the treasurer, as hereinbefore provided, the taxes therein stated shall become due and payable, and the treasurer shall forthwith, upon the reception of said tax roll, give public notice by publication for three successive days, in one or more papers published in said city, and by posting the same in at least six public places in each ward, which notice shall be a sufficient demand for the payment of all taxes on [upon] said roll. Such notice shall set forth that the general tax roll has been deposited with him for collection and that payment of the taxes therein specified may be made to him at any time before the first Monday of November next ensuing; that no addition will be made to taxes paid before the first day of August then following, but that an addition of one per centum upon all unpaid taxes will be made thereto on that day, and a like addition of one per centum upon every thirtieth day thereafter until the first day of February next following; and that the payment of all taxes remaining unpaid on the first Monday of November will be enforced by levy and sale of any personal property which may be found in said city, belonging to the person against whom such tax is assessed. Upon the receipt of any tax the treasurer shall mark the same paid upon the proper roll, adding after the word "paid," the day and month when so paid, and give a receipt therefor. Before delivering said roll to the treasurer, a warrant shall be issued and annexed to such tax or assessment roll, signed by the comptroller and under the corporate seal of the city, directed to the treasurer, and commanding him to collect from the persons named in said assessment roll the tax or assessment therein set forth as due from such persons and unpaid on said roll on the first Monday of November next ensuing, together with interest at the rate of one per cent per month from and after the first day of the preceding August, for the benefit of said city, and such collection fee as the common council may by resolution or ordinance prescribe, not exceeding three per cent, as compensation for the services of said treasurer in collecting the same, and for such purpose, if necessary, to levy upon and sell the personal property of any person or per- Collection of taxes by the treasurer. Warrant annexed to tax roll. Collection fee.

sons named in said roll, refusing or neglecting to pay the same, wherever such personal property may be found within the limits of said city, which warrant shall be returnable on the first day of February next ensuing.

Treasurer
authorized to
search for prop-
erty.

SEC. 9. By virtue of the warrant by this act authorized to be issued by the comptroller, the city treasurer shall have power, and it shall be his duty to diligently search for and levy upon the personal property of persons from whom such taxes may be due, wherever the same may be found within the limits of said city, and he shall sell the same in the same manner, and with the same duties and process of proceedings, as now are or hereafter may be provided by the laws of this state for the collection of state and county taxes by township treasurers or collectors, and the treasurer shall make the return in the same manner as is now, or shall be by law, required of township treasurers.

Taxes a lien.

SEC. 10. Every assessment or tax levied or imposed by the authority of the common council or by this act, on any lands, tenements or hereditaments in said city shall be and remain a lien thereon from and after the time such tax shall become due and payable until paid; and all provisions of law respecting the return and sale of property for the non-payment of taxes for state, county and township purposes, shall apply to the return and sale of property for the non-payment of such city taxes, except as is herein otherwise provided; and the net proceeds of the sales of all property delinquent for non-payment of city taxes, shall be paid to the treasurer of said city by the treasurer of the county of Saginaw, whenever required by the treasurer of said city, and the net proceeds of all sums paid to the treasurer of the county of Saginaw before sale, on account of property within said city returned delinquent for non-payment of city taxes, shall in like manner be paid to said city treasurer.

Treasurer
authorized to sell
claims of city on
land.

SEC. 20. The treasurer of said city is hereby authorized to sell, assign and transfer to any person or persons, who shall pay the amount for which the same was sold, together with interest thereon, all the claim said city has acquired in and to any lands heretofore bid in for the city under the provisions of this act, or any law of this state, and which have not been redeemed by the owner or other persons interested therein.

SEC. 2. That sections forty-four and fifty-four of title six of said act be amended so as to read as follows:

Confirmation
final.

SEC. 44. Every assessment roll so ratified and confirmed shall be final and conclusive, and within five days after the same shall be confirmed, the controller shall deliver the same to the treasurer, whereupon said tax shall become due and payable, and shall be a lien upon the property described in said roll. The controller shall give public notice thereof by advertisement in the official paper of the city once in each week for two successive weeks, and the said treasurer shall give a receipt for said roll and be charged therewith, and shall retain the same in his office for the period of thirty days, during which time any person may pay the amount of taxes assessed against such person or description of property respectively to said

Controller to give
notice.

treasurer, who shall receive said taxes and give receipt therefor, and mark the same paid upon the roll. Within five days after the expiration of the time for the payment of said tax or assessment to the treasurer as aforesaid, the treasurer shall deliver such assessment roll to the controller, who shall annex or attach a warrant to said special assessment roll, directed to the treasurer of the city, which warrant shall be signed by the controller, and have the city seal stamped thereon, and shall command the treasurer to collect the unpaid taxes upon said roll within the period of thirty days: *Provided*, That the common council may extend such warrant in the hands of the treasurer for the space of thirty days. Such warrant shall command the treasurer to collect the unpaid taxes upon said roll within the time prescribed in said warrant, and the treasurer shall thereupon be authorized and required to levy and collect such unpaid taxes, together with a collection fee of four per cent for his services, by distress and sale of any personal property of the person chargeable with such tax and collection fee. Within five days after the time for the collection prescribed by the warrant has expired, the treasurer shall make report to the controller of the sums so paid, and all assessments thereon remaining unpaid, which he was unable for want of such personal property to levy and collect, together with the descriptions of property assessed and unpaid, which return shall, in all cases, be made under oath, and filed and preserved in the office of the controller, who shall credit the treasurer with such unpaid amounts according to the return made by the treasurer, the controller shall transcribe such descriptions of property which appear on the said return unpaid, into a book provided and kept for that purpose, and he shall make a copy of such transcript for the use of the treasurer, to whom any person or party in interest may pay such unpaid tax or assessment at any time before it is put into the general city roll as hereinafter provided, by paying to the city treasurer the amount of tax so assessed against him or his property, together with the interest at the rate of one per cent [per centum] per month from the time of the return, by the treasurer of said tax roll, to the date of such payment. On or before the first day of June next following, the controller shall certify to the assessor the amount of such taxes, and a description of the premises assessed and chargeable with such tax, who shall assess such unpaid taxes together with interest at the rate of one per centum per month, on all sums so uncollected and unpaid from the date of the return of such assessment and tax roll by the treasurer, to the first day of August in the year in which the same shall be placed by the assessor, as herein provided, on such premises in the tax roll next thereafter to be made; and such tax shall then be levied, collected, and returned, and the said premises may be sold for the non-payment thereof as provided by law for the non-payment of other taxes.

Warrant for collection.

Proviso.

Fees for collecting.

Unpaid assessments.

Controller to certify unpaid taxes to assessor.

SEC. 54. The common council shall have full power to assess and collect of each individual using or being benefited by any public sewer or drain, as follows, to wit: The sum of five dollars for making connection with any such drain or sewer, and the

Assessments for use of public sewers.

Assessments to
be reported to
assessors.

further sum of two dollars and fifty cents annually for each ~~lot~~. directly or indirectly by a drain, into any public drain or ~~sewer~~. which assessment shall be taken to include all other drainage of the premises to which said cellar especially belongs; and the sum of two dollars annually for each lot or subdivision of lot being without a cellar, drained as aforesaid, into any public drain or sewer, and such sums as may be fixed by the common council for all establishments requiring an unusual or extraordinary amount of drainage, drained as aforesaid; which sums shall, with names of such individuals and the description of such lands or premises, liable to pay the same, be reported annually, on or before the last Saturday in May in each year by the board of sewer commissioners, to the assessor, who shall assess the same upon such persons and lands, and place the same in the annual tax roll, in the sewer column, and the same shall be enforced and collected in the same manner as general taxes of said city, and shall go into the sewer fund, and shall be expended exclusively for the repairs and construction of the same.

Sections
repealed.

SEC. 3. That sections [section] forty-one of title four, and sections eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen and twenty-two of title five of said act, be and the same are hereby repealed.

SEC. 4. This act shall take immediate effect.

Approved May 24, 1879.

[No. 388.]

AN ACT to amend an act entitled "An act to revise the charter of the city of Lansing," approved March twenty-fifth, eighteen hundred and seventy-five, also an act entitled "An act to amend an act entitled 'An act to revise the charter of the city of Lansing,' being act number two hundred and seventy-two, laws of eighteen hundred and seventy-seven," approved March twenty-sixth, eighteen hundred and seventy-seven.

Sections
amended.

SECTION 1. *The People of the State of Michigan enact*, That section twelve of title three, section twenty-one of title four, sections six, sixteen, and forty of title five, sections one and seven of title seven, section five of title eight, sections six and eight of title thirteen, and section eighteen of title sixteen of "An act to revise the charter of the city of Lansing," approved March twenty-fifth, eighteen hundred and seventy-five, as amended by an act approved March twenty-sixth, eighteen hundred and seventy-seven, be and the same are hereby amended so as to read as follows: and that sections eighteen and nineteen of title sixteen be renumbered so as to stand as sections nineteen and twenty of said title.

TITLE III.

Sections
added.

SEC. 10. The common council shall, on the first Monday in May, or as soon thereafter as may be, appoint one city marshal, one city

attorney, one city auditor, and one or more street inspectors, one chief engineer and one assistant chief engineer of the fire department, and so many policemen, watchmen, fire-wardens, pound-masters, inspectors of fire-wood, weighmasters, and auctioneers as they shall from time to time deem necessary, and may appoint a city surveyor and such other officers as may be necessary to carry into effect the powers granted by this act, who shall hold their offices Term of office. for one year, and on the first Monday in December, or as soon thereafter as may be, in the year eighteen hundred and seventy-seven, and each alternate year thereafter, the common council shall appoint one city assessor, who shall hold his office for two City assessor. years from the first day of January next following his appointment, but no person shall be appointed to any office by the common council except by a majority vote of all the members of the common council elect: *Provided*, That on the fourth Monday in March, or Provided. as soon thereafter as may be, in the year eighteen hundred and seventy-seven, the common council shall appoint one city assessor, who shall enter upon the discharge of his duties on the second Monday of April, in the year of our Lord one thousand eight hundred and seventy-seven, and whose term of office shall expire on the thirty-first day of December, eighteen hundred and seventy-seven, and the common council may, by ordinance, prescribe their duties in addition to those defined in this act. Whenever any officer appointed by the provisions of this section shall, from any Vacancy. cause, be unable to perform the duties of his office, the common council shall have power to appoint an officer who shall perform the duties of the office until such disability shall cease.

TITLE IV.

SEC. 21. No person shall engage in or exercise the business or vocation of tavern-keeper, inn-holder, or saloon-keeper, within the limits of said city, until he is first licensed as such by the common council; all hotel or tavern-keepers, inn-holders, or common victuallers who shall keep a bar in connection with their hotel, tavern, inn, or common victualling establishment, and all grocers, druggists, and all other persons who shall sell beverages by the glass or cup in their respective establishments which are usually sold in a saloon, shall be deemed saloon-keepers, within the meaning of this act, and shall be required to take a license as such: *Provided*, That nothing in this act shall be construed as licensing the sale of intoxicating liquors as a beverage. License to hotels, saloons, etc.

TITLE V.

SEC. 6. That alderman in each ward of said city whose term of office shall soonest expire shall be a member of the board of supervisors of the county of Ingham, and as such shall exercise the functions, perform the duties, and receive the same compensation as supervisors of townships, and shall have and exercise within his ward the local powers, authority, and functions of supervisors of townships as now provided or may hereafter be provided by law, Alderman whose term of office soonest expires to be supervisor. Powers, etc.

Vacancy.

and in case of vacancy by death of such supervisor, or by reason of sickness or other disability to perform the duties of such local supervisor of his ward, the associate alderman of the same ward is hereby authorized to perform his duties until such disability shall cease. And a certificate of appointment from the supervisor, or in case of his death or inability to give such certificate, a certificate of the mayor shall be sufficient authority to entitle such associate alderman to recognition, if objected to, as the proper representative for his ward for the time being, at any meeting of the board of supervisors of Ingham county. He shall, in addition thereto, exercise the duties and functions of health officer of his ward, and by virtue of his office shall be the member from said ward of the city board of health of said ward, and perform all the duties as such member as provided in title seven of this act.

City assessor
entitled to seat
on board of
supervisors for
certain purposes.

SEC. 16. The annual assessment of property in the several wards shall be made by the city assessor as herein provided. He shall be entitled to a seat on the board of supervisors, and shall have a vote on said board upon the questions of equalization or apportionment of property for taxation and the allowance of claims against the county, but upon no other subject, question, or matter whatever. For such services he shall be entitled to the same pay as a supervisor.

Duty of fire-
wardens, etc.

SEC. 40. The fire-wardens, common criers, pound-masters, inspectors of fire wood, and weigh-masters shall perform such duties and, if required, shall file such securities as the common council shall by ordinance or resolution direct.

TITLE VII.

City physician.

SECTION 1. It shall be the duty of the common council to appoint a city physician, who shall, with the supervisors of the several wards, constitute the board of health of said city.

City clerk clerk
of board of
health.

SEC. 7. The city clerk shall be the clerk of the board of health and shall attend the meetings thereof and keep a record of its proceedings, and such record, or a duly certified copy of the same, or any part thereof, shall be *prima facie* evidence of the facts therein contained in any court or before any officer.

TITLE VIII.

Cemetery trus-
tees, powers, etc.

SECTION 5. The board of cemetery trustees shall appoint one of their number chairman, and the city clerk shall be clerk of the board. The board of cemetery trustees shall also have power and they are hereby authorized to appoint one city sexton, who shall be subject to removal by said board for neglect of duty or other cause or causes, and who shall be in all matters pertaining to the care and management of said cemetery and cemetery grounds under control of said board. Said sexton shall receive such salary as the common council shall by ordinance or resolution direct. And the common council may, by ordinance, invest the board with such powers and authority as may be necessary for the care, management and preservation of such cemetery and grounds, the tombs and monu-

Sexton.

Salary.

ments therein and the appurtenances thereof, and in addition to the duties herein mentioned, the board shall perform such other duties as the council may prescribe.

TITLE XIII.

SECTION 6. The city assessor shall make and complete tax rolls Tax rolls. of the several wards of the city, and shall carry out in appropriate columns opposite the several descriptions of land in each ward, the amount due from each such description of land for all taxes assessed for the year, except state, county and school taxes, and shall deliver the same to the city treasurer on or before the second Monday in July of each year, with his warrant attached to each of said assessment rolls, under his hand, commanding the treasurer to collect within forty days, from the several persons named in said rolls, the several sums mentioned in the last column of said rolls opposite their respective names, and pay the same into the city treasury to the credit of the several funds for which the assessments are made. And the said warrant shall authorize the city treasurer, in case any person named in the assessment rolls shall neglect or refuse to pay his tax, to levy the same, by distress and sale of goods and chattels of such person. And when such tax rolls are delivered to the city treasurer as aforesaid, he may notify the tax payers of the city by publishing such notification in one or more of the newspapers published in the city for at least five days, and after such notification it shall be the duty of each and every person against whom taxes are assessed to pay the same at the office of said city treasurer. Warrant. Notice to tax payers.

SEC. 8. The city assessor shall make and complete, as far as possible, tax rolls of the several wards of the city, in the manner and at the time provided in the preceding section, for spreading thereon the amounts apportioned against the several wards for the state, county and school taxes, and shall complete said rolls and deliver them to the city treasurer at the time prescribed by law for the delivery of the township rolls to the township treasurer, and a copy to the city clerk, with his warrant attached to each of said assessment rolls, under his hand, commanding such treasurer to collect from the several persons named in the said rolls the several sums mentioned in the total column of said rolls opposite their respective names, and to retain in his hands the amount receivable by law into the city treasury, for the purposes therein specified, and to account for and to pay over to the county treasurer the amounts therein specified for state and county purposes, on or before the first day of February next following, and the said warrant shall authorize the city treasurer, in case any person named in the assessment roll shall neglect or refuse to pay his tax, to levy the same by distress and sale of goods and chattels of such person. And when such tax rolls are delivered to the city treasurer as aforesaid, he may notify the tax-payers of the city by publishing such notification in one or more of the newspapers published in the city for at least two successive weeks; and after such notification Tax rolls of wards. Warrant. Notice to tax payers.

it shall be the duty of each and every person against whom taxes are assessed to pay the same at the office of said city treasurer.

TITLE XVI.

Mayor may
negotiate for
bonds.

SECTION 18. The mayor by and with the consent of a majority of the common council elect, shall have the power to negotiate for outstanding bonds not yet due and may purchase the same: *Provided*, The cost thereof does not exceed the face value of said bond or bonds, with the matured interest; and for such purpose may issue city bonds at a rate of interest not exceeding seven per cent, but no such bonds shall be issued except for the purpose of funding the bonded indebtedness, and only in such amounts as can be substituted for said bonds. No bonds issued by virtue of this section shall be sold for less than their face value.

Bonds not sold
for less than face
value.

SEC. 2. This act shall take immediate effect.

Approved May 24, 1879.

[No. 389.]

AN ACT to amend act number two hundred and sixty-seven of the session laws of eighteen hundred and sixty-nine, being an act to amend act number three hundred and ninety-seven of the session laws of eighteen hundred and sixty-seven, entitled an act to amend act number three hundred and one of the session laws of eighteen hundred and sixty-five, being an act to regulate the tolls on plank roads in Bay, Clinton, Gratiot, and Saginaw counties, approved March twelve, eighteen hundred and sixty-nine.

Section
amended.

SECTION 1. *The People of the State of Michigan enact*, That act number two hundred and sixty-seven of the session laws of eighteen hundred and sixty-nine, being an act to amend act number three hundred and ninety-seven of the session laws of eighteen hundred and sixty-seven, entitled "An act to amend act number three hundred and one of the session laws of eighteen hundred and sixty-five, being an act to regulate the tolls on plank roads in Bay, Clinton, Gratiot, and Saginaw counties," approved March twelfth, eighteen hundred and sixty-nine, be and the same is hereby amended so as to read as follows:

Rates of toll.

SECTION 1. *The People of the State of Michigan enact*, That all plank road companies now existing or hereafter to be organized, having plank roads now constructed or hereafter to be constructed in whole or in part, within the counties of Bay, Clinton, Gratiot, Tuscola, and Saginaw, shall be entitled to charge and receive the following rates of toll, that is to say: at a rate not exceeding four cents per mile for any vehicle or carriage drawn by two animals, and two cents per mile for every carriage or vehicle drawn by one animal; if any carriage or vehicle is drawn by more than two animals, two cents per mile may be added for every such additional animal: *Provided*, That but one-half of those rates

Proviso.

shall be charged for sleighs or sleds so drawn; for sheep or swine driven over such road, one-half cent per score per mile may be charged; two cents per mile may be charged for each score of neat cattle led or driven over such road; and for every horse and rider or led horse, two cents per mile: *Provided*, That the tolls received on the plank road commonly known as the Genesee and Saginaw plank road, shall be as follows, viz.: for any wheeled vehicle drawn by two animals shall be at the rate of four cents for each mile traveled on said road, and two cents for said vehicles drawn by each additional animal; and two cents a mile for any sleigh, sleighs, or sleds drawn by two animals, and one cent additional for each additional animal drawing said sleighs, sled, or sleigh; and for any wheeled vehicle drawn by one animal, at the rate of two cents for each mile traveled on said road; and for any sleigh, sled, or sleighs drawn by one animal, at the rate of one cent for each mile of travel on said road; for sheep or swine driven over such road, two cents per score per mile may be charged; two cents per mile may be charged for each score of neat cattle led or driven over such road; and for every horse and rider, or led horse, two cents per mile of travel on said road. And any such plank road company may charge double the above specified rates on all wagon-loads of timber, staves, or wood, the weight of which shall exceed two and a half tons, except when such shall be drawn upon wagons with tires not less than three inches in breadth: *Provided*, This act shall not apply to [the] Bay City, Vassar, and Watrousville plank road.

Genesee and
Saginaw plank
road.

Double toll on
loads over two
and one-half
tons.

Proviso.

Approved May 24, 1879.

[No. 390.]

AN ACT to detach certain territory from the township of Coldwater and attach the same to the city of Coldwater.

SECTION 1. *The People of the State of Michigan enact*, That all that portion of sections seventeen and twenty, in the township of Coldwater, in the county of Branch, lying west of the Coldwater river owned and occupied by the city of Coldwater, and known as Oak Grove Cemetery, be and the same is hereby detached from the township of Coldwater and attached to the city of Coldwater.

Cemetery
attached to city.

SEC. 2. This act shall take immediate effect.

Approved May 26, 1879.

[No. 391.]

AN ACT to authorize the city of Detroit to establish and regulate a park.

SECTION 1. *The People of the State of Michigan enact*, That the common council of the city of Detroit shall have power to purchase the island in the Detroit river, known as Belle Isle, and

Council author-
ized to purchase
and improve, etc.

Police regula-
tions.

Council author-
ized to build
bridge, etc.

May borrow
money.

Powers to be
carried out in
compliance with
city charter.

to improve and use the same as a public park, and to erect thereon, any buildings which the city is authorized to build and maintain, and in all respects to devote said island to such public and corporate purposes as the council shall deem advisable. In case said island is purchased by the city, the board of metropolitan police of the city of Detroit shall have full police powers and jurisdiction over the island, the waters surrounding the same, and the bridge, if any, leading thereto, the same as though the island was within the corporate limits of the city.

SEC. 2. The common council of said city shall also have power to erect and maintain a bridge over the American channel between said island and the main land, and to purchase and acquire sufficient real estate on said main land, either within or without the limits of the city, for suitable approaches to such bridge from the main land, and the police powers and jurisdiction conferred by the preceding section, shall extend to the land thus acquired. The common council shall have power from time to time to fix the rate and provide for the collection of tolls for the use of said bridge, and to grant to railroads [railroad] and street car companies, the right to run their cars over said bridge upon such terms and conditions as the common council shall prescribe.

SEC. 3. For the purpose of carrying out the provisions of this act, the common council shall have power to borrow, by issuing bonds on the faith and credit of said city, such sums of money as may be necessary, not exceeding in the aggregate the sum of seven hundred thousand dollars, said bonds to be issued and negotiated in the manner provided by the provisions of the city charter, relative to the issuing of public sewer bonds by said city, and the bonds so issued shall be denominated public improvement bonds of the city of Detroit: *Provided*, That no greater sum than two hundred thousand dollars shall be paid for the said island.

SEC. 4. The powers conferred by this act shall be exercised and carried out in compliance with the city charter, and the acts creating the board of estimates and the board of public works of said city.

SEC. 5. This act shall take immediate effect.

Approved May 27, 1879.

[No. 392.]

AN ACT to repeal act number four hundred and nineteen of the session laws of eighteen hundred and sixty-nine, act number two hundred and fifty-three of the session laws of eighteen hundred and seventy-three, and all other acts relative to the incorporation of the village of New Buffalo, in the county of Berrien.

Acts repealed.

SECTION 1. *The People of the State of Michigan enact*, That act number four hundred and nineteen of the session laws of eighteen hundred and sixty-nine, act number two hundred and fifty-three of the session laws of eighteen hundred and seventy-

three, and all other acts relative to the incorporation of the village of New Buffalo, in the county of Berrien, be and the same are hereby repealed.

SEC. 2. Nothing in this act shall be so construed as to deprive any person or persons of a right of action against said village of New Buffalo for any demand accruing before this act shall take effect, and all lawful demands and claims against said village may be prosecuted to final judgment and recovery, in the same manner as might be done were this act not in existence, and whenever suit shall be brought against said village after the passage of this act service of process may be made upon the supervisor of the township of New Buffalo. In case any judgment shall be recovered against the village of New Buffalo, after the passage of this act, the same shall be reported to the supervisor of the township of New Buffalo, in the same manner as a judgment against said township would be, and shall be by him assessed upon the property of the township of New Buffalo and shall be collected as other taxes are collected, and shall be paid over to the judgment creditor when collected, in the same manner as judgments against townships are paid.

Claims against village.

Collection of judgment against village.

SEC. 3. The property belonging to and owned by the said village of New Buffalo shall, when this act shall take effect become the property of the township of New Buffalo, and the supervisor of said township is hereby authorized to take possession of said property in the name of said township, and dispose of the same as the township board of said township shall determine.

Property of village to belong to township.

Approved May 27, 1879.

[No. 393.]

AN ACT to provide for the keeping of the accounts of and the deposits of the public moneys of the county of Wayne, and to repeal act number fourteen of special session laws of eighteen hundred and seventy-four, relative to the deposit thereof.

SECTION 1. *The People of the State of Michigan enact*, That it shall be the duty of the county treasurer of the county of Wayne, to deposit daily his entire receipts from all sources, and all moneys, drafts or checks on hand to the credit of the county of Wayne, in such bank or banks incorporated under the laws of this state or the United States, as may be designated by the treasurer and the board of auditors of said county as the depository of the funds of the county. Said moneys shall be payable by the bank or banks with which they may have been deposited, only on the order or warrant of the treasurer countersigned by the chairman of the board of auditors. All moneys deposited in such bank or banks shall bear interest at a rate to be approved by said treasurer and the board of county auditors to be computed upon daily balances and placed to the credit of the county on the thirty-first day of December and thirtieth day of June in each year or at any other

County treasurer to make daily deposits, and where.

How money drawn from banks.

Interest.

Depositories to notify board of auditors daily of amount of deposits.

time when the account may be closed. The county depository shall notify the board of auditors daily of the amount of the deposits of the county treasurer for the previous day; and shall also notify the said board of auditors and the county treasurer of the amount of interest accrued when the same shall be placed to the credit of the county as above required.

Bonds to be given by banks.

SEC. 2. Before any deposits shall be made with any bank or banks as aforesaid, such bank or banks shall execute and deliver to said county treasurer, a bond in such sum and with such sureties as may be approved by said county treasurer, and said board of county auditors and by the circuit judge for said county. Said bond shall be made to the county and shall be conditioned for the safe keeping and repayment of such moneys or any part thereof on demand, and the payment of said interest. Said bond shall also contain such other conditions as may be required by said board of county auditors, or said treasurer, or by the circuit judge for said county.

How interest credited.

SEC. 3. All interest moneys so paid by any such bank or banks on the deposits, shall be credited to and form part of the general fund of the county.

Board may direct money drawn from banks, etc.

SEC. 4. The board of county auditors, whenever they shall deem it unsafe to continue said deposits with any such bank or banks, or they shall deem the security given insufficient, they may direct the county treasurer to withdraw said deposits from such bank or banks, and it shall thereupon be the duty of said treasurer to demand and withdraw such deposits as so directed by said board.

Not to affect liability of treasurer.

SEC. 5. Nothing herein contained shall be held or considered as in any manner changing or affecting the liability of the county treasurer or his bail, or his or their bond to the county: *Provided*, That if any such bank or banks should suspend payment of its deposits while it may hold any deposits of said moneys belonging to said county, the county treasurer and his bail shall not be liable for the amount of any loss that may be occasioned by such suspension.

Treasurer to keep accurate accounts of moneys received.

SEC. 6. The county treasurer shall keep in books to be provided at the expense of the county, just and accurate accounts of all moneys received by him. He shall also open and keep a separate account with each of the funds belonging to the county, and shall credit each of said funds with such amounts as properly belong to it, and shall charge it with all warrants or orders drawn against it by the proper authority. He shall give a receipt for all moneys paid to him, each receipt to be numbered from one consecutively commencing on October first, in the year of our Lord eighteen hundred and seventy-nine, and beginning at number one again on October first of each ensuing year. The receipts shall have

To give receipt for money paid him.

Form of receipts.

printed on their faces, "not good unless countersigned by the chairman of the board of county auditors," and the treasurer shall not deliver any receipt for any money paid to him without the same shall have been countersigned by the chairman of the board of auditors. He shall not pay out any money except upon the warrant or order of the board of auditors. All warrants drawn by

No money to be paid except on warrant of board.

the board of auditors upon the treasurer for the payment of money, shall be drawn to the order of the person entitled to receive the same; and it shall be written or printed upon the face of such warrant or order, the name of the fund out of which the same shall be paid.

SEC. 7. The treasurer shall report each day to the board of auditors a statement of the entire amount of his receipts from all sources subsequent to the last item in his preceding statement, and also showing the sources from which and the account on which the same was received, and also the disbursements made by him during the day. Daily reports of treasurer.

SEC. 8. It shall be the duty of the board of auditors to audit all accounts and claims against the county, and if correct and just, to pay the same out of the proper fund by warrant or order upon the county treasurer: *Provided, however,* That no warrant or order shall be drawn against any fund which has been exhausted. The board of auditors shall keep in their office the necessary books, in which shall be entered all warrants drawn upon the county treasurer, and they shall also keep a book for the registration of receipts of all moneys paid to the county treasurer and shall countersign the same. Board to audit all claims, etc.

SEC. 9. There shall be kept in the offices of the county treasurer and board of auditors books in which shall be kept a record of all county bonds issued and sold, and shall also show when the interest coupons are due and paid, and the date of such payment. Record of bonds.

SEC. 10. The board of auditors shall provide, at the expense of the county, all the necessary assistance, books, blanks, and stationery to fully carry out the provisions of this act. Board to provide necessary assistance, etc.

SEC. 11. The county treasurer of said county shall not loan any moneys to or deposit the same with any person, association, or corporation, except as provided in this act. Treasurer not to loan money.

SEC. 12. Any violation by any person holding the office of county treasurer, of any of the provisions of this act, shall be deemed a felony, and shall, on conviction thereof, be punished by imprisonment in the State prison for a term not exceeding two years, or by fine not exceeding ten thousand dollars, or by both fine and imprisonment, in the discretion of the court. Penalty for violation of act.

SEC. 13. Act number fourteen of special session laws of eighteen hundred and seventy-four, being an act to provide for the deposit of the public moneys by the county treasurer of Wayne county, shall be and the same is hereby repealed. Act repealed.

SEC. 14. This act shall take immediate effect.

Approved May 27, 1879.

[No. 394.]

AN ACT to vacate the township of Sherman in the county of Wexford, and to incorporate its territory within the adjoining townships of Springville, Antioch, Hanover, and Wexford, in the county of Wexford.

SECTION 1. *The People of the State of Michigan enact, That*

Territory incor-
porated.

Name.

General powers
of council.

all that tract of country situate in the townships of Castleton and Maple Grove, in the county of Barry, distinguished and designated on the plat in the land office of the district as sections thirty-five and thirty-six, and the south half of sections twenty-five and twenty-six in town three north of range seven west, and the north half of sections one and two, in town two north of range seven west, be and the same is hereby constituted a village corporate, to be known by the name of the village of Nashville.

SEC. 31. The common council shall prescribe the rules for its proceedings. The common council, in addition to the powers and duties specially conferred upon them in this act, shall have the management, control, and supervision of the highways, streets, bridges, lanes, alleys, parks, and public grounds in said village; of the finances, rights and interests, buildings and all property, real and personal, belonging to the village, and may make such ordinances and by-laws relating to the same as they shall deem proper and necessary; and further, they shall have power within said village to enact, ordain, make, continue, establish, modify, amend, and repeal such ordinances, by-laws and regulations as they may deem desirable and proper within said village, in relation to and for the following purposes:

First, To prevent vice and immorality, to preserve public peace and good order, to prevent and quell riots, disturbances, and disorderly assemblages, to restrain, apprehend and punish vagrants, mendicants, drunkards and all disorderly persons, to punish lewd and lascivious behavior in the streets and other public places;

Second, To suppress and restrain all disorderly houses and houses of ill-fame, all gambling houses, and all houses and places where persons resort for gaming or to play at games of chance, and to punish the keepers thereof, and to prevent every species of gaming, and to restrain, regulate and suppress billiard tables and bowling alleys;

Third, To prevent the selling or giving away of any spirituous or fermented liquors to any drunkard, minor or apprentice;

Fourth, To prohibit and regulate the sale of all goods, wares and personal property at auction, except in cases of sales authorized by law;

Fifth, To license and regulate auctioneers, peddlers and pawn-brokers, and auctions and hawking and peddling, and to license and regulate the peddling and sale of jewelry, goods, merchandise, and other property, by hand, hand-cart, show-case, show-stand or otherwise, in the public streets;

Sixth, To prohibit, restrain, regulate and license all sports, exhibitions of natural or artificial curiosities, caravans of animals, theatrical exhibitions, shows, concerts, circuses or other performances and exhibitions for money;

Seventh, To prevent the violation of the Sabbath, and to require all saloons, drinking houses, shops and other places of business to be closed on the Sabbath day, and at reasonable hours of the night on week days;

Eighth, To prohibit, prevent, abate and remove all nuisances in

said village, and punish the persons occasioning the same, and to ^{Idem.} declare what shall be considered nuisances, and direct and authorize their speedy or immediate abatement or removal by the marshal of said village, at the expense of the person [persons] creating or continuing the same;

Ninth, To compel the owner or occupant of any grocery, tallow-chandler shop, soap or candle factory, butcher-shop or stall, slaughter-house, stable, barn, cellar, privy, yard, hog-pen, manure pile, sewer, or other offensive, nauseous or unwholesome place, house or thing, to cleanse, remove or abate the same whenever the common council shall deem it necessary for the health, comfort or convenience of the inhabitants of said village;

Tenth, To direct the location and regulation of all slaughter-houses in said village, and to prohibit their location within said village;

Eleventh, To regulate, restrain and prohibit the location of shops, and the carrying on of mechanical and other trades and vocations which the common council may deem unsightly, dangerous, or injurious, in such places and parts of said village as the common council may designate;

Twelfth, To regulate the buying, selling and using of gun-powder, fire-crackers and fire-works, and other combustible materials; to regulate and prohibit the exhibition of fire-works, and the discharge of fire-crackers and fire-arms, and to restrain the making or lighting of fires in the streets and other open spaces in said village;

Thirteenth, To prevent the incumbering or obstructing of streets, sidewalks, [cross-walks], lanes, alleys, gutters, sewers, water-courses, bridges and public grounds, in any manner whatever, and to compel the occupants of lots to clear the sidewalks in front of, and adjacent thereto, of snow, ice, dirt, and every incumbrance and obstruction;

Fourteenth, To regulate and require the setting and securing of shade trees in the streets of said village; to authorize, prohibit and regulate the setting of hitching posts in the streets, lanes and alleys of said village, and to cause the same to be taken up and removed; to authorize, prohibit and regulate the building and placing of awnings, sign-boards and other things, the whole or any part of which, occupy or project within the limits of any street, lane or alley of said village, and to prescribe in what manner and of what materials the same shall be constructed, and to compel the removal of the same;

Fifteenth, To provide against horse racing, and immoderate riding or driving in any street or over any bridge, and to punish for the same, and authorize the arrest and detention of any person who shall be guilty of immoderate riding or driving;

Sixteenth, To regulate the speed of locomotives, engines and cars upon the railroads within said village;

Seventeenth, To regulate and prohibit bathing in the public waters within said village;

Eighteenth, To establish one or more pounds, and to regulate

General powers
of council.

and restrain the running at large of cattle, swine, horses, mules, sheep, and other animals, and of geese or other poultry, in the streets and public places in said village, and to authorize the taking up, impounding and sale of the same, for the penalty incurred, and the costs of keeping and impounding, and to punish for rescuing the same before all costs and charges are paid ;

Nineteenth, To regulate the ringing of bells and the crying of goods, and to prevent disturbing noises and obscene and profane language in the streets ;

Twentieth, To provide for the lighting of the streets and alleys, and the protection of the public lamps ;

Twenty-first, To impose taxes on the owners or keepers of dogs, and to prohibit the running at large of dogs, to require them to be muzzled, and to authorize their destruction, whenever running at large in violation of any ordinance of said village ;

Twenty-second, To provide burial places, and to regulate and prohibit the burial of the dead within said village, and to protect and preserve the monuments, tomb-stones, trees, shrubbery, property, ornaments, improvements, grounds and fences in and around any cemetery in said village ;

Twenty-third, To regulate and establish the line upon which buildings may be erected upon any street, lane or alley in said village, and to compel such building to be erected upon such line, by fine upon the owner thereof, not exceeding five hundred dollars for each offense ;

Twenty-fourth, To establish, order and regulate markets ; to regulate the vending of meats, vegetables, fruits, fish and provisions of all kinds ; to regulate the sale of hay, wood, lime, lumber, and coal, and to designate the stand or stands for wood hay, and produce exposed for sale, in said village, and to require the weighing of hay and the measuring of fire-wood ;

Twenty-fifth, To license all drays and omnibuses, hacks and other vehicles used for the transportation of persons and property for hire, and to prohibit their use without license, and to designate the stands for such vehicles, and to prescribe the rates of fare and charges for the same ;

Twenty-sixth, To license persons to engage in and exercise the business or occupation of tavern keeper, inn-holder, common victualer, and saloon keeper, and to impose such fees for such license as the common council may see fit, not to exceed two thousand dollars and to impose penalties upon all persons engaging in any such occupation or business without such license ; and to regulate, prohibit and suppress ale, beer and porter houses, and all places of resort for tippling and intemperance, and to punish the keepers thereof, and all persons assisting in carrying on the business thereof, and to require all such places to be closed on the Sabbath day and upon such other days, and during such hours of every night as the council shall prescribe ;

Twenty-seventh, To appoint a sealer of weights and measures ;

Twenty-eighth, To establish fire districts within which no wooden

buildings shall be moved, built, enlarged, placed, or allowed to stand or remain; *Idem.*

Twenty-ninth, To regulate and prescribe the manner of constructing party walls, chimneys and fire-places, the putting up of stoves, stove-pipes, and other things that may be deemed dangerous in causing or promoting fires, and to make all such ordinances, by-laws, and regulations as the common council shall deem necessary to secure the buildings and property in said village against injuries by fire and for the prevention and suppression of fire, and for the purpose of enforcing such ordinances, by-laws, and regulations, the common council may authorize and direct any of the officers of said village to enter into and examine, at all reasonable times, all dwelling houses, buildings, and tenements of every description, and all lots, yards, and enclosures, to inspect all hearths, stoves, fire-places, stove-pipes, flues, chimneys, or other conductors of smoke, and any apparatus or device in which fire may be used or to which fire may be applied, and to remove and make the same safe at the expense of the owner or occupants of the building in which the same may be, and every building or structure that shall be constructed, moved, repaired, enlarged, used, maintained occupied, or allowed to stand or remain in violation of or contrary to any ordinance of said village is hereby declared to be a common nuisance, and may be abated, taken down, and removed by direction of the common council, at the expense of the owner or occupant or person who caused such nuisances.

Thirtieth, To prohibit the maintaining of lumber-yards, the keeping, piling, and storing of firewood, timber, lumber, or other easily combustible material within the limits of any fire district;

Thirty-first, To construct reservoirs wherever needed and to provide for supplying the same with water; to build bridges; to construct sewers, drains, and culverts; to provide wells; to grade, gravel, pave, repair, amend, and otherwise improve the streets, lanes, alleys, public grounds, and parks in said village; to construct, repair, and renew sidewalks; to remove all encroachments from any street, lane, alley, public ground or place in said village; to fill up, drain, cleanse, and regulate any grounds, yards, basins, cellars, or vaults within said village that may be suken, damp, foul, encumbered with rubbish or unwholesome matter, and to make such other public improvements as may conduce to the general good and prosperity of said village or any part thereof, and generally to make all other ordinances and regulations that the common council may deem necessary to the safety, order, and good government of said village.

SEC. 51. Whenever a conviction is had or a judgment rendered for any fine, penalty, for forfeiture for a violation of the charter or of any by-law or ordinance of said village of Nashville, it shall be with costs of suit, and it shall be the duty of the justice before whom the conviction is had to issue a commitment directed to the marshal of the village of Nashville reciting the sentence and the substance of the offense as charged in the warrant, commanding the commitment of the person so convicted, until the expiration of

Proceedings for
violation of or-
dinances.

the time named in the sentence, unless said fine and costs are sooner paid, or until he be discharged by due course of law; and in cases where imprisonment alone shall be imposed upon the person so convicted, the said justice shall issue a commitment directed as aforesaid, commanding his commitment until the expiration of the time for which he shall be sentenced to imprisonment, or until he be discharged by due course of law, and in cases where both fine and imprisonment are imposed upon the person so convicted the said justice shall issue a commitment, directed as aforesaid, commanding his commitment until the expiration of the time for which he shall be sentenced to imprisonment, or until he be discharged by due course of law, and execution may also be issued to collect the fine so imposed, and shall command the amount to be made of the property of the defendant, and in cases where imprisonment in default of payment of fine and costs shall be imposed upon the person so convicted, the said justice shall issue a commitment, directed as aforesaid, commanding his commitment for a time certain, not exceeding the time mentioned in the by-law or ordinance which has been violated, unless such fine and costs be sooner paid or until discharged by due course of law.

In what name
prosecutions to
be brought.

What necessary
to set forth.

SEC. 55. All suits and prosecutions for the violation of the provisions of this act or of any ordinance or by-law made in pursuance of such provisions, or to recover any fine, penalty, or forfeiture for such violation, shall be brought in the name of "the common council of the village of Nashville," and in any such suit or prosecution it shall not be necessary to set forth in the complaint or warrant, the ordinance or by-law, or any section thereof, the provisions of which are alleged to have been violated, except by its title, but it shall be sufficient to state in the complaint and warrant, with reasonable certainty of time and place, the act, violation or offense complained of, and to allege the same to have been committed in violation of the provisions of an ordinance or by-law, as the case may be, of the village of Nashville, referring thereto by its title, and all process issued by any justice of the peace in any such suit or proceeding shall be directed "to the marshal of the village of Nashville," and the same may executed anywhere within the State of Michigan.

SEC. 2. This act shall take immediate effect.

Approved May 28, 1879.

[No. 398.]

AN ACT to amend sections four, nine, and nineteen of chapter three, sections five and twenty-five of chapter five, section five of chapter six, section one of chapter ten, section six of chapter seventeen, section nine of chapter eighteen, section four of chapter twenty, sections three, four, eight, and ten of chapter twenty-two, sections one, four, eight, and ten of chapter twenty-three, and sections nineteen, twenty, and twenty-one of chapter twenty-five of act number three hundred and fifty-eight of the

session laws of eighteen hundred and seventy-five, entitled "An act to revise and amend the charter of the city of Jackson," approved April twenty-fourth, eighteen hundred and seventy-five, as amended by act number three hundred and fifty, of the session laws of eighteen hundred and seventy-seven, approved May twenty-first, eighteen hundred and seventy-seven.

SECTION 1. *The People of the State of Michigan enact, That* Sections amended.
sections four, nine, and nineteen of chapter three, sections five and twenty-five of chapter five, section five of chapter six, section one of chapter ten, section six of chapter seventeen, section nine of chapter eighteen, section four of chapter twenty, sections three, four, eight, and ten of chapter twenty-two, sections one, four, eight, and ten of chapter twenty-three, and sections nineteen, twenty, and twenty-one of chapter twenty-five of act number three hundred and fifty-eight of the session laws of eighteen hundred and seventy-five, entitled "An act to revise and amend the charter of the city of Jackson," approved April twenty-fourth, eighteen hundred and seventy-five, as amended by act number three hundred and fifty of the session laws of eighteen hundred and seventy-seven, approved March twenty-first, eighteen hundred and seventy-seven, be amended so as to read as follows:

CHAPTER III.

SEC. 4. Appointments to office by the council, except appointments to fill vacancies, shall be made on the first Monday in May, in each year; but appointments which, for any cause, shall not be made on that day, may be made at any subsequent regular meeting of the council. All appointments to office shall be made only upon the nomination of the mayor (by and with the concurrence of a majority of the members elect of the council.) Appointments to office.

SEC. 9. All officers appointed by the mayor or council, except officers appointed to fill vacancies in elective offices, shall hold their respective offices until the first Monday in May next after such appointment, and until their successors are qualified, and enter upon the duties of their office, unless a different term of office shall be provided in this act, or in the ordinance creating the office, and any officer appointed or elected to fill a vacancy shall hold the office during the residue of the term of office in which the vacancy occurred. Terms of office.

SEC. 19. A vacancy in the office of mayor, occurring more than ninety days before an annual election, shall be filled by a special election. A vacancy in the office of any alderman may be filled by the council, three-fourths of the aldermen elect concurring therein; but if three-fourths of the aldermen elect fail to concur therein, then it shall be filled by a special election, except when such vacancies occur within ninety days before an annual election, when it shall be filled at the annual election. All vacancies in the office of justice of the peace shall be filled at the next annual election. Vacancies in any other office shall be filled by appointment by the council, within twenty days after the vacancy occurs. Filling vacancies.

CHAPTER V.

Duties of
aldermen.

SEC. 5. The aldermen of the city shall be members of the council, and attend the meetings thereof, and act upon committees when thereunto appointed. As conservators of the peace, they shall aid in maintaining quiet and good order, and in securing the faithful performance of duty by all officers of the city, and may exercise within the city the powers conferred upon sheriffs to suppress disorder.

Justices to pay
money to treasurer.

SEC. 25. All fines, penalties and forfeitures collected or received by any justice of the peace for or on account of violations of any ordinances of the city, shall be paid over by such justice to the city treasurer on or before the first Monday of the month next after the collection or receipt thereof. And the justice shall take the receipt of the city treasurer therefor, and file the same with the recorder.

CHAPTER VI.

Meetings of
council.

SEC. 5. The council shall hold regular stated meetings for the transaction of business, at such times and places within the city as it shall prescribe; not less than one of which shall be held in each month. The mayor or president of the council may appoint special meetings thereof, notice of which, in writing, shall be given to each alderman, or be left at his place of residence, at least twelve hours before the meeting.

CHAPTER X.

Police force.

SEC. 1. The council of said city may provide by ordinance for a police force, and for the appointment by the mayor, by and with the concurrence of a majority of the members elect, of such number of policemen and night watchmen as they may think necessary for the good government of the city, and for the protection of the persons and property of the inhabitants, and may authorize the mayor to appoint special policemen from time to time, when in his judgment the emergency or necessity may so require, and may provide for and appoint subordinate officers of the police and night watchmen.

CHAPTER XVII.

Sewers and sewer
district.

SEC. 6. Such part as the common council shall determine, not exceeding two-thirds of the cost and expense of any main district sewer, or of the cost of any lateral branch, or local sewer constructed within a special sewer district, shall be paid from the general sewer fund, and the remainder of such cost and expenses shall be defrayed by special assessment upon all the taxable lands and premises included within the main or special sewer district, as the case may be, in proportion to the estimated benefits accruing to each parcel respectively from the construction of the sewer.

CHAPTER XVIII.

SEC. 9. Such part of the expense, not to exceed two-fifths thereof, of improving any street, lane, or alley by paving, planking, graveling, or curbing, and of repaving the same, as the common council shall determine, may be paid from the general street fund, or from the street district fund of the proper street district, or in part from each; or the whole, or such part of the expense of such improvement as the council shall determine, may be defrayed by special assessments upon lots and premises included in a special assessment district, to be constituted of the lands fronting upon that part of the street or alley so improved, or proposed so to be; or constituted of lands fronting upon such improvement, and such other lands as in the opinion of the council may be benefited by the improvement: *Provided*, That all gutters on hill-sides may be paved from the street district fund of the proper street district where the same are made necessary for the protection of the street.

Improvement of
streets, expenses,
how paid.

Provido.

CHAPTER XX.

SEC. 4. Before ordering any public improvements or repairs, any part of the expense of which is to be defrayed by special assessment, the council shall cause estimates of the expense thereof to be made by the board of public works, and also plats and diagrams, when practicable, of the work and of the locality to be improved, and deposit the same with the recorder for public examination; and they shall give notice thereof, and of the proposed improvement or work, and of the district to be assessed, by publication for two weeks at least, in one of the newspapers of the city, and of the time when the council will meet and consider any objections thereto. Unless a majority of the persons to be assessed shall petition therefor, no such improvement or work shall be ordered, except by the concurrence of a majority of the aldermen elect.

Council to estimate cost of improvements, etc.

CHAPTER XXII.

SEC. 3. The revenues raised by general tax upon all the property in the city, or by loan to be repaid by such tax, shall be divided into the following general funds:

Division of revenues into general funds.

First, Contingent fund,—to defray the contingent and other expenses of the city, for the payment of which from some other fund, no provision is made;

Second, Fire department fund,—to defray the expense of purchasing grounds, erecting engine-houses thereon, purchasing engines and other fire apparatus, and all other expenses necessary to maintain the fire department of the city;

Third, General street fund,—to defray the expenses of opening, widening, extending and altering streets, alleys, and public grounds; for paving, curbing, and gravelling the intersections of public streets and alleys, and repairing the same; for cleaning public streets, alleys, and grounds, and for the construction and repair of crosswalks and the cleaning and repairing of sidewalks;

Fourth, General sewer fund,—to defray the expenses of sewers, drains, ditches, and drainage, and the improvement of water-courses;

Fifth, Bridge fund,—for the construction and maintenance of bridges and culverts;

Sixth, Water fund,—for constructing reservoirs and cisterns, and providing other supplies of water; for maintaining water works and extending water pipes;

Seventh, Public building fund,—for providing for public buildings, and for the purchase of land therefor, and for the erection, preservation, and repair of any such public buildings, city hall, offices, prisons, watch-houses, and hospitals as the council is authorized to erect and maintain, and not herein otherwise provided for;

Eighth, Police fund,—for the maintenance of the police of the city, and to defray the expenses of the arrest and punishment of those violating the ordinances of the city;

Ninth, Cemetery fund;

Tenth, Interest and sinking fund,—for the payment of the public debt of the city and the interest thereon;

Eleventh, Such other general funds as the council may from time to time constitute.

Special funds.

SEC. 4. Revenues and moneys raised by taxation in special districts of the city shall be divided into the following special funds:

First, A street district fund for each street district, for defraying the expenses of grading, improving, repairing, and working upon the streets therein, and for paving gutters on hillsides, and for the payment of all street expenses which the council shall charge upon the street district;

Second, A district sewer fund for each main sewer district, for the payment of the costs and expenses of sewers and drainage in and chargeable to the main sewer district, when the city shall be divided into such districts;

Third, Special assessment funds,—any money raised by special assessment, levied in any special assessment districts or special sewer district, to defray the expenses of any work, paving, improvement, or repairs, or drainage therein, shall constitute a special fund for the purpose for which it was raised.

Council to make estimates of expenditures, etc.

SEC. 8. It shall be the duty of the council to cause estimates to be made on or before the first Monday in March, in each year, of all the expenditures which will be required to be made from the several general funds of the city during the next fiscal year, for the payment of interest and debts to fall due, or for lands to be acquired, buildings to be erected or repaired, bridges to be built, and for the paving of streets, the construction of sewers, making improvements, and for the support of the police and fire departments and for defraying the current expenses of the year, and for every other purpose for which any money will be required to be paid from any of the several general funds during such fiscal year, and also to estimate the amounts that will be required to be expended from street district funds during said next fiscal year, in working upon,

improving, and repairing the streets in the several street districts of the city.

SEC. 10. The common council shall also, on or before the third Monday in March, in each year, pass or adopt a resolution to be termed the annual appropriation bill, in which they shall make provision for and appropriate the several amounts required to defray the expenditures and liabilities of the corporation for the next fiscal year, payable from the several general funds and from the street district funds, as estimated and determined upon as provided in section eight of this chapter, and order the same, or so much of such amounts as may be necessary, to be raised by tax with the next general tax levy, or by loan or both, and to be paid into the several general funds and street district funds of the city; but the whole amount so ordered to be raised by tax or loan, or by both, shall not, except as herein otherwise provided, exceed the amount which the city is authorized by sections five, six, and seven of this chapter to raise by general tax during the year. The council shall specify in such resolution the objects and purposes for which such appropriations are made and the amount appropriated for each object or purpose, and to each of the general funds and street district funds, and the amount to be expended on each street. The council shall also designate in the appropriation bill the sums, if any, required to be levied to meet any deficiency for the current year, and the amount or part of any special assessment or other sum which they require to be levied or reassessed, with the next general tax, as mentioned in section nine of this chapter, and the disposition be made of such moneys, and shall also designate in said bill any local improvements which they may deem advisable to make during the next fiscal year, and to be paid for in whole or in part by special assessments and the estimated cost thereof, and shall at the same time, by resolution, levy the aggregate of the taxes mentioned in such appropriation bill upon the taxable property within said city.

Annual appropriation bill.

CHAPTER XXIII.

SECTION 1. The supervisors of said city shall, in each year, make and complete an assessment of all the real and personal property within their respective wards liable to taxation under the laws of the state, and of all the property of any person liable to be assessed therein, on or before the second Monday in March, in the same manner as required by law for the assessment of property in the townships of the State, and in so doing they shall conform to the provisions of law governing the action of supervisors of townships performing like services, and in all other respects, within their respective wards they shall, unless otherwise in this act provided, conform to the provisions of law applicable to the action and duties of supervisors in townships, in the assessment of property, the levying of taxes, and in issuing of warrants for the collection and return thereof.

Assessment by supervisors.

SEC. 4. The supervisors of the several wards, together with the

Board of review. city attorney, shall constitute a board of review of assessments: (*Provided*, The city attorney shall have no vote therein.) Said board shall meet at the office of the recorder on the first Tuesday following the second Monday in March, and there proceed to review the assessment made by the supervisors in the several wards; and for that purpose said board shall have the same powers, and perform the same duties in all respects as supervisors of townships in reviewing and correcting assessments made by them; said board shall continue in session (not more than four days), for the purpose of completing such review. Notice of the time and place of the meeting of said board for the purpose aforesaid shall be given by the recorder, by publication in one of the newspapers of the city, at least one week before the time for the review.

Recorder to assess taxes.

SEC. 8. It shall be the duty of the recorder under the direction of the common council, whenever any assessment roll shall have been completed in each and every year to assess the taxes that have been levied by the common council for the year upon the taxable property of the city according and in proportion to the individual and particular estimate and valuation, as specified in the assessment roll of the city for the year. He shall thereupon deliver to the city treasurer said assessment roll with the taxes for the general funds of the city for the year, annexed to each valuation and carried out in a column thereof, and if there be other taxes assessed than for the said general funds, they shall be carried out in separate columns, and all special assessment required by the common council or the provisions of this act to be assessed, if in such roll against any descriptions of land, shall be carried out in separate columns thereof, and the total amount of taxes and assessments shall be carried out in the last column of such roll.

Collection of taxes by city treasurer.

SEC. 10. Immediately after the expiration of the time mentioned in said notice, the recorder shall deliver to the city treasurer a warrant under the hand of the recorder and the seal of said city, commanding him to collect from the several persons named in said roll whose taxes remain unpaid the several sums mentioned in the last column thereof, opposite their respective names, and in addition thereto, two per cent upon all sums paid during the first month, and two per cent additional for each month, or part of a month, thereafter, during which any sums shall remain unpaid for collecting expenses, on or before the day specified in such warrant, and it shall authorize the treasurer in case any person shall neglect or refuse to pay his or her tax, and the said collecting expenses to levy the same by distress and sale of the goods and chattels of such person: *Provided*, Such warrant may be renewed or extended by the common council from time to time, but not to exceed six months from the date of the original warrant: *Provided further*, That the reduction of the percentage on said taxes made by this amendment shall not in any manner affect the compensation received by any city officer who has duly qualified and entered upon the discharge of the duties of his office at the time of the passage of this act.

Proviso.

CHAPTER XXV.

SEC. 19. Said board shall make rules and regulations for making connections with water-pipe and sewers; and any licensed plumber making connection with any water-pipe or extending any supply pipe, or in any manner increasing the flow of water without a permit from said board, or the superintendent of water works, shall forfeit his license: *Provided*, That no water-pipe shall be extended without the concurrence of the board of public works.

Connection with
pipes and sewers.

SEC. 20. The board of public works shall, on or before the third Monday of March in each year, nominate a street commissioner and city engineer (subject to the approval of the common council), and shall have power to require the duties of said offices to be performed by one person; and shall also fix the amount of compensation to be paid therefor and report the same to the said council for its approval.

Street commis-
sioner.

SEC. 21. Said board shall on or before the first Monday in March of each year, report the common council the estimated expense of all officers and employes which by this act they are empowered to appoint or employ. They shall also at the same time report and recommend to said common council the making of such public improvements as in the judgment of said board shall be for the best interest of the city, and the estimated cost thereof.

Board to report
estimated
expense of off-
cers.

SEC. 2. This act shall take immediate effect.

Approved May 28, 1879.

[No. 399.]

AN ACT to amend sections four and five of act number two hundred and forty-nine of the session laws of eighteen hundred and seventy-one, entitled "An act to incorporate the city of Alpena," as amended by act number three hundred and eleven of the session laws of eighteen hundred and seventy-seven.

SECTION 1. *The People of the State of Michigan enact*, That sections four and five of act number two hundred and forty-nine of the session laws of eighteen hundred and seventy-one, entitled "An act to incorporate the city of Alpena," as amended by act number three hundred and eleven of the session laws of eighteen hundred and seventy-seven, be amended so as to read as follows:

Sections
amended.

SEC. 4. At each annual election to be held in said city in the year eighteen hundred and seventy-one, there shall be elected two aldermen in each ward by the electors thereof, one of whom shall hold his office for the term of one year and the other for the term of two years, and until their successors shall be elected and qualified, and the term for which the person voted for is intended, shall be designated on the ballot; and at each annual election thereafter to be held, one alderman shall be elected in each ward by the electors thereof, who shall hold his office for the term of two years and until his successor shall be elected and qualified; at the an-

Election of
aldermen.

Election of ward officers.	nual election in the year eighteen hundred and eighty and each annual election thereafter, there shall be elected in each ward by the electors thereof, one supervisor and one constable, who shall hold their offices for the term of one year and until their successors shall be elected and qualified. Each of the said supervisors shall be the supervisor of the ward of which he is elected, with all the powers of supervisors of townships in this state, and subject in all respects to the provisions of law regulating the duties of township supervisors except as in this act otherwise provided. The first election under this charter shall be held at the place and under the same notice that elections have heretofore been held in the village of Alpena on the first Monday of April, eighteen hundred and seventy-one, or on any day thereafter upon giving the like notice in case said elections should not be held on the day hereinbefore designated.
Supervisors.	
First election.	
Annual election.	SEC. 5. The annual election under this act shall be held on the first Monday of April of each year, at such place in each of the several wards of said city as the common council may designate.
Notice.	Notice thereof shall be given by the recorder at least eight days before the election, by publishing the same in some newspaper published in said city, and the alderman and supervisor of each ward shall be inspectors of such election, and they shall also be inspectors of the state and county election, and shall choose the clerk thereof; and in case of the absence of one or more of such inspectors, or if no inspectors have been elected or appointed, the electors present may choose <i>viva voce</i> from their number one or more to fill such vacancy or vacancies, to whom shall be administered the constitutional oath by either of said inspectors or by any justice of the peace. The manner of conducting all election [elections] and canvassing the votes and qualifications of electors in the several wards shall be the same as that of townships, the word "ward" instead of "township," being used in the oath to be administered to an elector in case his vote shall be challenged: <i>Provided</i> , That at such charter election, the ward inspectors shall make one certificate of the number of votes given for each person for the several offices to be filled in and for said city, and also one certificate of the officers elected in and for each ward, which certificate shall be immediately filed in the office of the recorder of said city, and upon the Tuesday next following the day of such election, the common council shall meet at the office of said recorder, and thereupon determine who, by the greatest number of votes given in the several wards at such election, are duly elected to fill the respective offices, and it shall be the duty of the recorder immediately after such determination, to cause notice to be given to each of the persons elected, of their election, and each of said officers so elected and notified, shall within ten days thereafter, take and subscribe the constitutional oath of office before the recorder of said city, or before any person authorized to administer oaths, and shall deliver the same to said recorder, who shall file the same in his office: <i>Provided</i> , That in case of the election of one or more justices of the peace, the said recorder shall make a certificate
Inspectors.	
Elections, how conducted.	
Proviso.	
Proviso.	

thereof, and cause it to be delivered to the county clerk, in the same manner as is required of township clerks, and in case two or more shall receive for the same office, an equal number and not a plurality of votes given at such elections, the common council shall immediately proceed to determine by lot between the persons receiving the highest number of votes, which shall be considered elected to such office. In case any of the officers elected shall neglect for the term of ten days to qualify as aforesaid, the office shall thereby become vacant. The registration of electors shall be the same as is provided by general laws of this state, relative to cities, except as hereinafter provided: *Provided*, That at the annual spring election in the year eighteen hundred and eighty, and every five years thereafter, a general registration of all the electors in each of the wards of said city shall take place, and the common council shall make the necessary provisions for carrying out such general registration.

Approved May 28, 1879.

[No. 400.]

AN ACT to authorize the city of Alpena to purchase and to raise money for the purchase and maintenance when completed, of the water works now in process of construction in said city by the Alpena City Water Company.

SECTION 1. *The People of the State of Michigan enact*, That when the water-works now in process of construction in the city of Alpena, by the Alpena City Water Company, shall have been completed and put in readiness for operation, and the common council of said city shall by resolution declare that it is expedient and desirable, and for the best interests of said city to purchase said works, it shall be lawful for the common council of said city, and they are hereby authorized and empowered to borrow money on the faith and credit of said city, and to issue bonds therefor to an amount not to exceed seventy-five thousand dollars for the purpose of purchasing said works, and acquiring the entire rights of said company in said works. Council may borrow money to buy water-works.

SEC. 2. Said bonds may be issued in sums of not more than one thousand dollars each and payable at such times and with such rate of interest not exceeding seven per cent per annum as the common council of said city may direct. Said bonds shall mature within twenty-five years from the date thereof, and shall be signed by the recorder and countersigned by the mayor of said city, with the seal of the city attached, and shall be negotiated by and under the direction of the common council of said city, but at not less than their par value. Bonds. Interest.

SEC. 3. The common council of said city shall have power and it shall be their duty in the event of said water-works being purchased under the provisions of this act, to raise by tax upon the taxable property of said city, such sum or sums as shall be sufficient Tax to pay bonds.

CHAPTER V.

Duties of
aldermen.

SEC. 5. The aldermen of the city shall be members of the council, and attend the meetings thereof, and act upon committees when thereunto appointed. As conservators of the peace, they shall aid in maintaining quiet and good order, and in securing the faithful performance of duty by all officers of the city, and may exercise within the city the powers conferred upon sheriffs to suppress disorder.

Justices to pay
money to treasurer.

SEC. 25. All fines, penalties and forfeitures collected or received by any justice of the peace for or on account of violations of any ordinances of the city, shall be paid over by such justice to the city treasurer on or before the first Monday of the month next after the collection or receipt thereof. And the justice shall take the receipt of the city treasurer therefor, and file the same with the recorder.

CHAPTER VI.

Meetings of
council.

SEC. 5. The council shall hold regular stated meetings for the transaction of business, at such times and places within the city as it shall prescribe; not less than one of which shall be held in each month. The mayor or president of the council may appoint special meetings thereof, notice of which, in writing, shall be given to each alderman, or be left at his place of residence, at least twelve hours before the meeting.

CHAPTER X.

Police force.

SEC. 1. The council of said city may provide by ordinance for a police force, and for the appointment by the mayor, by and with the concurrence of a majority of the members elect, of such number of policemen and night watchmen as they may think necessary for the good government of the city, and for the protection of the persons and property of the inhabitants, and may authorize the mayor to appoint special policemen from time to time, when in his judgment the emergency or necessity may so require, and may provide for and appoint subordinate officers of the police and night watchmen.

CHAPTER XVII.

Sewers and sewer
district.

SEC. 6. Such part as the common council shall determine, not exceeding two-thirds of the cost and expense of any main district sewer, or of the cost of any lateral branch, or local sewer constructed within a special sewer district, shall be paid from the general sewer fund, and the remainder of such cost and expenses shall be defrayed by special assessment upon all the taxable lands and premises included within the main or special sewer district, as the case may be, in proportion to the estimated benefits accruing to each parcel respectively from the construction of the sewer.

CHAPTER XVIII.

SEC. 9. Such part of the expense, not to exceed two-fifths thereof, of improving any street, lane, or alley by paving, planking, graveling, or curbing, and of repaving the same, as the common council shall determine, may be paid from the general street fund, or from the street district fund of the proper street district, or in part from each; or the whole, or such part of the expense of such improvement as the council shall determine, may be defrayed by special assessments upon lots and premises included in a special assessment district, to be constituted of the lands fronting upon that part of the street or alley so improved, or proposed so to be; or constituted of lands fronting upon such improvement, and such other lands as in the opinion of the council may be benefited by the improvement: *Provided*, That all gutters on hill-sides may be paved from the street district fund of the proper street district where the same are made necessary for the protection of the street.

Improvement of streets, expenses, how paid.

Proviso.

CHAPTER XX.

SEC. 4. Before ordering any public improvements or repairs, any part of the expense of which is to be defrayed by special assessment, the council shall cause estimates of the expense thereof to be made by the board of public works, and also plats and diagrams, when practicable, of the work and of the locality to be improved, and deposit the same with the recorder for public examination; and they shall give notice thereof, and of the proposed improvement or work, and of the district to be assessed, by publication for two weeks at least, in one of the newspapers of the city, and of the time when the council will meet and consider any objections thereto. Unless a majority of the persons to be assessed shall petition therefor, no such improvement or work shall be ordered, except by the concurrence of a majority of the aldermen elect.

Council to estimate cost of improvements, etc.

CHAPTER XXII.

SEC. 3. The revenues raised by general tax upon all the property in the city, or by loan to be repaid by such tax, shall be divided into the following general funds:

Division of revenues into general funds.

First, Contingent fund,—to defray the contingent and other expenses of the city, for the payment of which from some other fund, no provision is made;

Second, Fire department fund,—to defray the expense of purchasing grounds, erecting engine-houses thereon, purchasing engines and other fire apparatus, and all other expenses necessary to maintain the fire department of the city;

Third, General street fund,—to defray the expenses of opening, widening, extending and altering streets, alleys, and public grounds; for paving, curbing, and gravelling the intersections of public streets and alleys, and repairing the same; for cleaning public streets, alleys, and grounds, and for the construction and repair of crosswalks and the cleaning and repairing of sidewalks;

Fourth, General sewer fund,—to defray the expenses of sewers, drains, ditches, and drainage, and the improvement of water-courses;

Fifth, Bridge fund,—for the construction and maintenance of bridges and culverts;

Sixth, Water fund,—for constructing reservoirs and cisterns, and providing other supplies of water; for maintaining water works and extending water pipes;

Seventh, Public building fund,—for providing for public buildings, and for the purchase of land therefor, and for the erection, preservation, and repair of any such public buildings, city hall, offices, prisons, watch-houses, and hospitals as the council is authorized to erect and maintain, and not herein otherwise provided for;

Eighth, Police fund,—for the maintenance of the police of the city, and to defray the expenses of the arrest and punishment of those violating the ordinances of the city;

Ninth, Cemetery fund;

Tenth, Interest and sinking fund,—for the payment of the public debt of the city and the interest thereon;

Eleventh, Such other general funds as the council may from time to time constitute.

Special funds.

SEC. 4. Revenues and moneys raised by taxation in special districts of the city shall be divided into the following special funds:

First, A street district fund for each street district, for defraying the expenses of grading, improving, repairing, and working upon the streets therein, and for paving gutters on hillsides, and for the payment of all street expenses which the council shall charge upon the street district;

Second, A district sewer fund for each main sewer district, for the payment of the costs and expenses of sewers and drainage in and chargeable to the main sewer district, when the city shall be divided into such districts;

Third, Special assessment funds,—any money raised by special assessment, levied in any special assessment districts or special sewer district, to defray the expenses of any work, paving, improvement, or repairs, or drainage therein, shall constitute a special fund for the purpose for which it was raised.

Council to make estimates of expenditures, etc.

SEC. 8. It shall be the duty of the council to cause estimates to be made on or before the first Monday in March, in each year, of all the expenditures which will be required to be made from the several general funds of the city during the next fiscal year, for the payment of interest and debts to fall due, or for lands to be acquired, buildings to be erected or repaired, bridges to be built, and for the paving of streets, the construction of sewers, making improvements, and for the support of the police and fire departments and for defraying the current expenses of the year, and for every other purpose for which any money will be required to be paid from any of the several general funds during such fiscal year, and also to estimate the amounts that will be required to be expended from street district funds during said next fiscal year, in working upon,

improving, and repairing the streets in the several street districts of the city.

SEC. 10. The common council shall also, on or before the third Monday in March, in each year, pass or adopt a resolution to be termed the annual appropriation bill, in which they shall make provision for and appropriate the several amounts required to defray the expenditures and liabilities of the corporation for the next fiscal year, payable from the several general funds and from the street district funds, as estimated and determined upon as provided in section eight of this chapter, and order the same, or so much of such amounts as may be necessary, to be raised by tax with the next general tax levy, or by loan or both, and to be paid into the several general funds and street district funds of the city; but the whole amount so ordered to be raised by tax or loan, or by both, shall not, except as herein otherwise provided, exceed the amount which the city is authorized by sections five, six, and seven of this chapter to raise by general tax during the year. The council shall specify in such resolution the objects and purposes for which such appropriations are made and the amount appropriated for each object or purpose, and to each of the general funds and street district funds, and the amount to be expended on each street. The council shall also designate in the appropriation bill the sums, if any, required to be levied to meet any deficiency for the current year, and the amount or part of any special assessment or other sum which they require to be levied or reassessed, with the next general tax, as mentioned in section nine of this chapter, and the disposition be made of such moneys, and shall also designate in said bill any local improvements which they may deem advisable to make during the next fiscal year, and to be paid for in whole or in part by special assessments and the estimated cost thereof, and shall at the same time, by resolution, levy the aggregate of the taxes mentioned in such appropriation bill upon the taxable property within said city.

Annual appropriation bill.

CHAPTER XXIII.

SECTION 1. The supervisors of said city shall, in each year, make and complete an assessment of all the real and personal property within their respective wards liable to taxation under the laws of the state, and of all the property of any person liable to be assessed therein, on or before the second Monday in March, in the same manner as required by law for the assessment of property in the townships of the State, and in so doing they shall conform to the provisions of law governing the action of supervisors of townships performing like services, and in all other respects, within their respective wards they shall, unless otherwise in this act provided, conform to the provisions of law applicable to the action and duties of supervisors in townships, in the assessment of property, the levying of taxes, and in issuing of warrants for the collection and return thereof.

Assessment by supervisors.

SEC. 4. The supervisors of the several wards, together with the

Board of review. city attorney, shall constitute a board of review of assessments: (*Provided*, The city attorney shall have no vote therein.) Said board shall meet at the office of the recorder on the first Tuesday following the second Monday in March, and there proceed to review the assessment made by the supervisors in the several wards; and for that purpose said board shall have the same powers, and perform the same duties in all respects as supervisors of townships in reviewing and correcting assessments made by them; said board shall continue in session (not more than four days), for the purpose of completing such review. Notice of the time and place of the meeting of said board for the purpose aforesaid shall be given by the recorder, by publication in one of the newspapers of the city, at least one week before the time for the review.

Recorder to assess taxes.

SEC. 8. It shall be the duty of the recorder under the direction of the common council, whenever any assessment roll shall have been completed in each and every year to assess the taxes that have been levied by the common council for the year upon the taxable property of the city according and in proportion to the individual and particular estimate and valuation, as specified in the assessment roll of the city for the year. He shall thereupon deliver to the city treasurer said assessment roll with the taxes for the general funds of the city for the year, annexed to each valuation and carried out in a column thereof, and if there be other taxes assessed than for the said general funds, they shall be carried out in separate columns, and all special assessment required by the common council or the provisions of this act to be assessed, if in such roll against any descriptions of land, shall be carried out in separate columns thereof, and the total amount of taxes and assessments shall be carried out in the last column of such roll.

Collection of taxes by city treasurer.

SEC. 10. Immediately after the expiration of the time mentioned in said notice, the recorder shall deliver to the city treasurer a warrant under the hand of the recorder and the seal of said city, commanding him to collect from the several persons named in said roll whose taxes remain unpaid the several sums mentioned in the last column thereof, opposite their respective names, and in addition thereto, two per cent upon all sums paid during the first month, and two per cent additional for each month, or part of a month, thereafter, during which any sums shall remain unpaid for collecting expenses, on or before the day specified in such warrant, and it shall authorize the treasurer in case any person shall neglect or refuse to pay his or her tax, and the said collecting expenses to levy the same by distress and sale of the goods and chattels of such person: *Provided*, Such warrant may be renewed or extended by the common council from time to time, but not to exceed six months from the date of the original warrant: *Provided further*, That the reduction of the percentage on said taxes made by this amendment shall not in any manner affect the compensation received by any city officer who has duly qualified and entered upon the discharge of the duties of his office at the time of the passage of this act.

Proviso.

CHAPTER XXV.

SEC. 19. Said board shall make rules and regulations for making connections with water-pipe and sewers; and any licensed plumber making connection with any water-pipe or extending any supply pipe, or in any manner increasing the flow of water without a permit from said board, or the superintendent of water works, shall forfeit his license: *Provided*, That no water-pipe shall be extended without the concurrence of the board of public works. Connection with pipes and sewers.

SEC. 20. The board of public works shall, on or before the third Monday of March in each year, nominate a street commissioner and city engineer (subject to the approval of the common council), and shall have power to require the duties of said offices to be performed by one person; and shall also fix the amount of compensation to be paid therefor and report the same to the said council for its approval. Street commissioner.

SEC. 21. Said board shall on or before the first Monday in March of each year, report the common council the estimated expense of all officers and employes which by this act they are empowered to appoint or employ. They shall also at the same time report and recommend to said common council the making of such public improvements as in the judgment of said board shall be for the best interest of the city, and the estimated cost thereof. Board to report estimated expense of officers.

SEC. 2. This act shall take immediate effect.

Approved May 28, 1879.

[No. 399.]

AN ACT to amend sections four and five of act number two hundred and forty-nine of the session laws of eighteen hundred and seventy-one, entitled "An act to incorporate the city of Alpena," as amended by act number three hundred and eleven of the session laws of eighteen hundred and seventy-seven.

SECTION 1. *The People of the State of Michigan enact*, That sections four and five of act number two hundred and forty-nine of the session laws of eighteen hundred and seventy-one, entitled "An act to incorporate the city of Alpena," as amended by act number three hundred and eleven of the session laws of eighteen hundred and seventy-seven, be amended so as to read as follows: Sections amended.

SEC. 4. At ~~the~~ annual election to be held in said city in the year eighteen hundred and seventy-one, there shall be elected two aldermen in each ward by the electors thereof, one of whom shall hold his office for the term of one year and the other for the term of two years, and until their successors shall be elected and qualified, and the term for which the person voted for is intended, shall be designated on the ballot; and at each annual election thereafter to be held, one alderman shall be elected in each ward by the electors thereof, who shall hold his office for the term of two years and until his successor shall be elected and qualified; at the an- Election of aldermen.

Election of ward officers.	nual election in the year eighteen hundred and eighty and each annual election thereafter, there shall be elected in each ward by the electors thereof, one supervisor and one constable, who shall hold their offices for the term of one year and until their successors shall be elected and qualified. Each of the said supervisors shall be the supervisor of the ward of which he is elected, with all the powers of supervisors of townships in this state, and subject in all respects to the provisions of law regulating the duties of township supervisors except as in this act otherwise provided. The first election under this charter shall be held at the place and under the same notice that elections have heretofore been held in the village of Alpena on the first Monday of April, eighteen hundred and seventy-one, or on any day thereafter upon giving the like notice in case said elections should not be held on the day hereinbefore designated.
Supervisors.	
First election.	
Annual election.	SEC. 5. The annual election under this act shall be held on the first Monday of April of each year, at such place in each of the several wards of said city as the common council may designate.
Notice.	Notice thereof shall be given by the recorder at least eight days before the election, by publishing the same in some newspaper published in said city, and the alderman and supervisor of each ward shall be inspectors of such election, and they shall also be inspectors of the state and county election, and shall choose the clerk thereof; and in case of the absence of one or more of such inspectors, or if no inspectors have been elected or appointed, the electors present may choose <i>viva voce</i> from their number one or more to fill such vacancy or vacancies, to whom shall be administered the constitutional oath by either of said inspectors or by any justice of the peace. The manner of conducting all election [elections] and canvassing the votes and qualifications of electors in the several wards shall be the same as that of townships, the word "ward" instead of "township," being used in the oath to be administered to an elector in case his vote shall be challenged: <i>Provided</i> , That at such charter election, the ward inspectors shall make one certificate of the number of votes given for each person for the several offices to be filled in and for said city, and also one certificate of the officers elected in and for each ward, which certificate shall be immediately filed in the office of the recorder of said city, and upon the Tuesday next following the day of such election, the common council shall meet at the office of said recorder, and thereupon determine who, by the greatest number of votes given in the several wards at such election, are duly elected to fill the respective offices, and it shall be the duty of the recorder immediately after such determination, to cause notice to be given to each of the persons elected, of their election, and each of said officers so elected and notified, shall within ten days thereafter, take and subscribe the constitutional oath of office before the recorder of said city, or before any person authorized to administer oaths, and shall deliver the same to said recorder, who shall file the same in his office: <i>Provided</i> , That in case of the election of one or more justices of the peace, the said recorder shall make a certificate
Inspectors.	
Elections, how conducted.	
Proviso.	
Proviso.	

thereof, and cause it to be delivered to the county clerk, in the same manner as is required of township clerks, and in case two or more shall receive for the same office, an equal number and not a plurality of votes given at such elections, the common council shall immediately proceed to determine by lot between the persons receiving the highest number of votes, which shall be considered elected to such office. In case any of the officers elected shall neglect for the term of ten days to qualify as aforesaid, the office shall thereby become vacant. The registration of electors shall be the same as is provided by general laws of this state, relative to cities, except as hereinafter provided: *Provided*, That at the annual spring election in the year eighteen hundred and eighty, and every five years thereafter, a general registration of all the electors in each of the wards of said city shall take place, and the common council shall make the necessary provisions for carrying out such general registration.

Approved May 28, 1879.

[No. 400.]

AN ACT to authorize the city of Alpena to purchase and to raise money for the purchase and maintenance when completed, of the water works now in process of construction in said city by the Alpena City Water Company.

SECTION 1. *The People of the State of Michigan enact*, That when the water-works now in process of construction in the city of Alpena, by the Alpena City Water Company, shall have been completed and put in readiness for operation, and the common council of said city shall by resolution declare that it is expedient and desirable, and for the best interests of said city to purchase said works, it shall be lawful for the common council of said city, and they are hereby authorized and empowered to borrow money on the faith and credit of said city, and to issue bonds therefor to an amount not to exceed seventy-five thousand dollars for the purpose of purchasing said works, and acquiring the entire rights of said company in said works. Council may borrow money to buy water-works.

SEC. 2. Said bonds may be issued in sums of not more than one thousand dollars each and payable at such times and with such rate of interest not exceeding seven per cent per annum as the common council of said city may direct. Said bonds shall mature within twenty-five years from the date thereof, and shall be signed by the recorder and countersigned by the mayor of said city, with the seal of the city attached, and shall be negotiated by and under the direction of the common council of said city, but at not less than their par value. Bonds. Interest.

SEC. 3. The common council of said city shall have power and it shall be their duty in the event of said water-works being purchased under the provisions of this act, to raise by tax upon the taxable property of said city, such sum or sums as shall be sufficient Tax to pay bonds.

to pay the amount of said bonds and the interest thereon, whenever the same shall become due; and said common council shall also have the power and it shall be their duty to raise by tax upon the taxable property of said city such sum or sums, not exceeding five thousand dollars in any one year as shall be sufficient to keep said water-works in repair and meet the running expenses thereof.

Question of
issuing bonds to
be submitted to
electors.

SEC. 4. Before any bonds shall be issued under the provisions of this act, the common council of said city shall submit to the qualified electors of said city at a special election called for that purpose the question of the proposed issuing of bonds, and if a majority of the electors voting at such meeting shall be in favor of such proposition, the common council of said city may at any time thereafter, issue said bonds and purchase said water-works. The voting at such special election shall be by ballot, and all persons voting in favor of issuing bonds for the purchase of said water-works, shall have written or printed upon their ballots, "For issuing bonds for purchase of water-works,—Yes." And those opposed shall have written or printed upon their ballots, "For issuing bonds for purchase of water-works,—No." The said election shall be called by posting notices in five of the most conspicuous places of said city at least ten days previous thereto, stating the time of holding said election, the amount of bonds proposed to be issued, the rate of interest and the object for which it is proposed to issue them. The polls of said election shall be open from nine o'clock A. M. to twelve M., and from one o'clock P. M. to four o'clock P. M. The mayor, or in his absence, the recorder shall open such election and the electors present shall choose *viva voce* from among their number two persons, who together with the mayor or recorder shall be the inspectors of said election, and such inspectors when so chosen, shall choose from among those present, some competent person to act as clerk of said election. Said inspectors and clerk shall, before proceeding to the discharge of their duties, make an oath or affirmation, faithfully to discharge the duties of their respective offices at said election, which oath or affirmation may be administered by any person authorized to administer oaths. Said election shall be conducted in the same manner and the canvass of votes made as near as may be as other elections in said city under the charter thereof. At the close of such election the inspectors shall make two certificates of the number of votes given for and against such issue of bonds for the purpose aforesaid, one of which shall be forthwith deposited with the recorder of said city and the other filed in the office of the county clerk for the county of Alpena.

Form of ballot.

Notice of
election.

Opening and
closing polls, etc.

Inspectors of
election.

How election
conducted.

Board of man-
agement.

SEC. 5. When said water-works are purchased as aforesaid, the common council of said city may enact and enforce such ordinances as may be considered necessary for the maintenance and protection of said water-works, the protection thereof from injury or molestation by wrong doers, the enforcement of rules and regulations concerning the use of water hydrants and pipes, the payment and collection of water rates, the fixing and determining such rates, and to provide for the appointment of a commission or board, the term of at least one member of which commission or board shall

expire yearly, to take the charge and management of such water-works, in the manner and to the extent which shall be provided in such ordinance or ordinances; to fix the compensation of such commissioners, and adopt such further rules and regulations as may be considered necessary to secure and protect the supply of water, and the source of said supply.

Approved May 28, 1879.

[No. 401.]

AN ACT to amend an act entitled "An act to incorporate the city of Marshall," approved February fifteen, eighteen hundred and fifty-nine, and the act amendatory thereof, approved April one, eighteen hundred and seventy-three.

SECTION 1. *The People of the State of Michigan enact, That* sections seventeen and twenty-two of an act entitled "An act to incorporate the city of Marshall," approved February fourteen, eighteen hundred and fifty-nine, be and the same are hereby amended so as to read as follows: Sections amended.

SEC. 17. The common council shall have full power and authority to construct, repair, and preserve sewers, drains and reservoirs, and to provide for supplying such reservoirs with water; to cause bridges to be built or repaired; to make by-laws and ordinances to regulate the weighing of hay and the measuring of fire-wood, and for that purpose may appoint some proper person to measure all fire-wood brought into the city for the purpose of sale in the street [streets] or public grounds; and also relative to drays, carts, hacks, and other vehicles kept for the transportation of persons and property in said city, and prescribe the amount of charges for their services, and to designate the stands for the sale of hay, wood, produce, and other things exposed for sale in the streets or public grounds, and also for the regulation of a city market; also relative to the powers, duties and compensation of the officers of said corporation, subject to the restrictions contained in this act; relative to the calling of meetings of the electors of the city; and also to provide for taking a census of the inhabitants of said city, whenever the common council may see fit, and to direct and regulate the same; also relative to the licensing of showmen and other exhibitions, where money or other consideration is demanded or received for admission, and to fix the amount of said license; to direct the number of, and license innkeepers and common victualers; to provide for the collection of and disposition of all fines and penalties, which may be incurred under the by-laws and ordinances of said city; to regulate the setting of awning and other posts, and shade trees in the streets and other public places in said city; they may also fix and establish the grades of all streets and sidewalks; and also establish lines upon which buildings may be erected, and beyond which such buildings shall not extend, and to make General powers of council.

	all such other by-laws and ordinances as they may deem proper and necessary for the safety, order and good government of said city, and to promote the prosperity and improve the condition of the inhabitants thereof, not inconsistent with the laws and constitution of the state and constitution of the United States, and to impose fines, forfeitures and penalties on all persons offending against the by-laws and ordinances made as aforesaid: <i>Provided</i> , That no by-law or ordinance shall impose a fine exceeding one hundred dollars, nor subject the offender to imprisonment in the county jail exceeding ninety days: <i>And provided further</i> , That no by-law or ordinance shall be of any effect until the same shall have been published for two weeks successively in two newspapers published in said city.
Proviso.	
Recorder to have charge of cemeteries.	SEC. 22. The recorder of the city shall be secretary of the cemetery or cemeteries, and shall have care of the city cemetery or cemeteries, and all the grounds and other property belonging thereto, subject to the ordinances and direction of the common council, and he shall report quarterly to the common council the amount expended in the improvement of said property and the manner and purposes for which it was expended.
Section amended.	SEC. 2. That the section added to the act to which this is amendatory, by act number two hundred and twenty-seven of the session laws of eighteen hundred and seventy-three, and therein numbered fifty-eight (the same being erroneous, as said section should have been numbered fifty-nine), be and the same is hereby amended so as to read as follows:
Bonds to pay outstanding indebtedness.	SEC. 59. That the mayor, recorder, and alderman [aldermen] of the city of Marshall are authorized, anything in said act to the contrary notwithstanding, to issue bonds of the said city of Marshall to an amount not exceeding ten thousand dollars, bearing interest at a rate not exceeding ten per cent per annum, payable annually, said [such] bonds to be payable not more than ten years from the date of said [such] bonds. The proceeds arising from the sale of such bonds are to be used for the purpose of paying outstanding orders against the said city which have been issued principally on the fire department fund for the sinking of artesian wells for fire protection purposes and to raise the necessary means for the erection of a fire [hose] tower and the purchase of a suitable bell for fire alarm purposes.
	SEC. 3. That two new sections to stand as sections sixty and sixty-one of said act, be added to said act to read as follows:
Power of council as to taxation.	SEC. 60. In the exercise of the power of taxation the common council of said city shall have power to levy and collect special assessments for the following purposes: <i>First</i> , To defray the expenses of paving any street, public square or alley within the limits of said city, or of repairing any pavement on any such street, square or alley; <i>Second</i> , To defray the expenses of the construction of sidewalks in said city in the manner following: <i>First</i> , The common council may order any such street, square or alley to be paved, or a sidewalk to be constructed on any of the

same, or any pavement or sidewalk to be repaired, by resolution ^{Idem.} which shall specify the description, materials, thickness (and in case of sidewalks the width), and manner of building such pavement or sidewalk;

Second, A copy of such resolution shall be served on the owners of the lands in front of which such pavement or sidewalk shall be ordered, as the common council shall direct, and such owners shall have the right to construct such pavement or sidewalk, according to the requirement of said resolution for thirty days after service of the same;

Third, Any pavement or sidewalk so ordered, or any part thereof, not constructed by the owner as aforesaid, may be constructed by said common council or under their direction in such manner as said council shall determine;

Fourth, The costs and expenses of the construction of any pavement, or sidewalk shall be assessed upon the property benefited thereby, and the common council shall determine what such property is, and form the same into an assessment district, and such district may comprise all or any part of the property within said city, and such costs and expenses shall be assessed upon the property within such district equally. There shall be a review of the assessment rolls, and a hearing thereon of all persons interested. The common council shall confirm such roll after review and hearing.

Fifth, After such confirmation the assessments in said rolls shall constitute a lien on the several parcels of property upon which they are assessed, and shall be a personal charge upon the several owners thereof. Such assessments shall be collected with one per cent added for treasurer's fees by the treasurer of said city upon warrant signed by the mayor and recorder, and in case of non-payment of any of such taxes the land [lands] shall be returned and sold, in manner as near as may be, and the treasurer shall have all the powers, in the act of which this is amendatory provided for the collection, return, and sale of lands in case of non-payment of other city taxes, and in such manner as the common council shall, not inconsistently with such [said] act, direct. The cost of any pavement or sidewalk or repairs thereon, not in front of private property, may be paid out of moneys raised for street and bridge purposes. In case of invalidity of special assessments herein provided for, for any cause, the common council shall have power to re-assess the same. All property exempt by the laws of this state from general taxation, shall be exempt from special assessments under this act. Nothing in this act shall be construed as imposing any duty on the mayor, recorder, and aldermen of the city of Marshall in regard to constructing or repairing pavements, streets, or sidewalks. In case of repairing sidewalks, it shall not be necessary to form a district, but the expense of such repairs shall be assessed upon the land in front of which said repairs may be made, according to section fifty-eight of the act of which this act is amendatory, being part of an act approved March nineteen, eighteen hundred and sixty-seven. The common council shall have power to pass all ordinances necessary

to carry into effect the provisions of this act, and the powers hereby conferred.

Special assessments.

SEC. 61. In the exercise of the police power the common council shall have power to levy and collect special assessments to defray the expenses of taking down any building, wall, or other structure liable to fall down and endanger persons or property; of filling up, draining, cleaning, altering, relaying, or repairing of any private cellar, slip, barn, drain, sink, or privy, when necessary for the public health, or of abating or removing any nuisances in said city; but in all such cases the actual expense upon or in front of each lot or parcel of land shall be assessed to such lot, and in all other respects the proceedings shall comply as near as may be, with the provisions herein regarding special assessments.

SEC. 4. This act shall take immediate effect.

Approved May 28, 1879.

[No. 402.]

AN ACT to amend an act entitled "An act to incorporate the city of Pontiac," approved March fifteenth, eighteen hundred and sixty-one, as amended by the several acts amendatory thereof.

Sections amended.

SECTION 1. *The People of the State of Michigan enact*, That sections four, ten, twelve, twenty-five, twenty-seven, forty-three, fifty, fifty-eight, sixty, sixty-five, eighty-nine, ninety-three and one hundred and thirty-nine of an act entitled "An act to incorporate the city of Pontiac," approved March fifteenth, eighteen hundred and sixty-one, as amended by the several acts amendatory thereof, be and the same are [hereby] amended so as to read as follows:

Appointed officers.

SEC. 4. The common council of said city shall have power to appoint a city treasurer, a marshal, wood inspectors, one from each ward, fire wardens, not to exceed one for each fire district, which fire districts may be bounded as the said common council shall order; also a physician, whose duties and compensation said common council may designate; a city attorney, whose compensation shall not exceed one hundred dollars in any one year, and one or more persons to take charge of the cemetery or cemeteries within said city, under such rules and regulations as the common council may from time to time prescribe, and such other officers as said common council may deem necessary to execute the powers granted by this act, all of which officers appointed to said common council shall hold their respective offices at the pleasure of the common council.

Term of office.

Removal of officers.

SEC. 10. All officers appointed by the common council under and by virtue of the provisions of this act, may each be removed from office by said common council for official misconduct, or for the unfaithful or insufficient performance of the duties of such office, but notice of the charges against any of them and an opportunity of being heard in their defense shall first be given. While such charges are pending the common council may, in their discre-

tion, suspend the accused and appoint some efficient person to fill his place, *pro tempore*, and in case such charges are sustained the accused shall receive no pay from the time of such suspension.

SEC. 12. The inhabitants of the city of Pontiac, and being residents of this State three months next preceding the day of such election, and of the ward in which they offer to vote ten days, and being otherwise electors under the constitution of this State, and no others, are declared to be electors under this act, and qualified to vote at the elections held by virtue of this act, and any person offering to vote at any such election, if challenged by an elector of said city before his vote shall be received, shall take one of the oaths now provided by the laws of this State, which oath shall be administered to him by one of the inspectors of such election, and shall further answer, under oath, administered as aforesaid, such questions as may be put to him touching his residence in such ward, and if any person shall swear falsely, upon conviction thereof, he shall be liable to the pains and penalties of perjury; but the common council of said city are hereby authorized and empowered to provide by general ordinance, from time to time, to so change the form of the oath or oaths to be administered to such person challenged as to conform to the constitution and laws of this state, which may from time to time be in force.

Who declared
elected.

SEC. 25. In case a vacancy shall occur in any of the offices in this act declared to be elective or appointive, except alderman, the common council may, in their discretion, fill such vacancy by the appointment of a suitable person, who is an elector, and, if appointed for a ward, who is also a resident of the ward for which he shall be appointed, and any officer so appointed to fill a vacancy shall hold, by virtue of such appointment, for the unexpired term of the office to which he shall be appointed: *Provided*, That in case of the removal, resignation, or death of the mayor, if the same occurs two months before the expiration of his term of office, the same shall be filled at a special election to be ordered by the common council, but no new registration of voters shall be required.

Filling
vacancies.

Proviso.

SEC. 27. Every person chosen or appointed by the common council, before he enters upon the duties of his office, and within five days after being notified of his appointment, shall cause to be filed in the office of the city clerk the constitutional oath of office and a note in writing signifying his acceptance of such office.

Acceptance of
office.

SEC. 43. A majority of the common council shall be a quorum for the transaction of business, but no tax or assessment shall be made except by the concurring vote of a majority of all the members elected to the common council, and the common council shall prescribe the rules for its proceedings.

Quorum.

SEC. 50. No ordinance of the common council, imposing a penalty, shall take effect until after the expiration of at least fifteen days after the first publication thereof in a newspaper published in said city, and all such ordinances shall be inserted in such paper for at least two successive weekly issues.

Publication of
ordinances.

SEC. 58. The city clerk shall be the sealer of weights and measures of said city, and shall perform all the duties of township

Sealer of weights
and measures.

	clerk, so far as the same apply to the sealing of weights and measures, and the laws of this state relating to the sealing of weights and measures, shall apply to said city.
Publication of notice.	SEC. 60. The said statement shall be signed by the mayor and filed in the clerk's office with the financial records of the city, and the clerk shall cause the same to be published one time in each of the two newspapers having the largest circulation in the city, on or before the first day of April thereafter.
Accounts to be sworn to.	SEC. 65. The accounts and demands of all persons against the city shall, when required by any member of the common council, be verified by affidavit, and shall set forth the items thereof in detail, which affidavit may be taken and certified by any member of said common council, and no claim shall be so allowed unless reported upon by the finance committee: <i>Provided</i> , That the compensation allowed the supervisors of said city shall be two dollars per day, but shall not exceed the following sums in any one year: In the first ward, one hundred and twenty dollars; in the second ward, one hundred and thirty-five dollars; in the third ward, one hundred and twenty-five dollars; and in the fourth ward, one hundred and ninety-five dollars.
Compensation of supervisors.	SEC. 89. For the purchase and improvement of a city cemetery or cemeteries, the common council may borrow, on the faith and credit of the city, a sum not exceeding five thousand dollars, for a term not exceeding twenty years, at a rate of interest not exceeding seven per cent per annum, payable annually; and for that purpose may issue the bonds of the city, signed by the mayor and countersigned by the clerk, and in such form and in such sums, not exceeding in the aggregate the sum of five thousand dollars, as the said common council shall direct; and such bonds shall be disposed of under the direction of the common council of said city, upon such terms as they shall deem advisable, but not less than their par value; and the avails shall be applied in the purchase and improvement of a city cemetery or cemeteries, and the necessary appurtenances, and for no other purpose whatever: <i>Provided</i> , That no such loan shall be effected by said common council without first having obtained the vote of a majority of the freeholders of said city, at a meeting to be called for that purpose, after having given ten days' public notice of the same, and of the place and object of such meeting, and of the time thereof, by publishing the same in a newspaper of said city, and by posting a copy of such notice in some public place in each ward of said city.
Council may borrow money for cemeteries.	SEC. 93. The common council shall have power to borrow money on the bonds of said city, to an amount not exceeding five thousand dollars, on time and terms, and negotiated in the manner prescribed in this act, in relation to the purchase and improvement of a city cemetery or cemeteries, for the purpose of purchasing a lot or lots, and for erecting thereon a city hall for the use of said city; and the common council shall have power to borrow money on the bonds of said city to an amount not exceeding the sum of five thousand dollars, in manner and on such time and terms as before stated, for the purpose of purchasing lands or premises for a pub-
Proviso.	
Idem.	
Par k.	

lic park, which lots, lands, or premises, so purchased for city hall purposes, or for a public park, shall be under the control of the common council: *Provided*, That no such loans shall be effected or bonds negotiated, without first having obtained an affirmative vote of a majority of the electors of said city, at any general or city election. Provinc.

SEC. 139. The common council may procure, own, build, and keep in repair, such and so many fire engines, with their hose and other apparatus, engine houses, ladders, fire hooks, and fire buckets, and other implements and conveniences for the extinguishment of fires, and to prevent injuries by fires, and such and so many public cisterns, wells, and reservoirs of water, as they from time to time shall judge necessary; and said common council shall have power, for the purpose of purchasing such fire engines, with their hose and other apparatus, and for the purpose of building such engine houses, to borrow money from time to time as they may deem necessary on the bonds of said city, to an amount not exceeding ten thousand dollars, on time and terms, and negotiated in the manner prescribed in this act, in relation to the purchase and improvement of a city cemetery or cemeteries: *Provided*, That no such loans shall be effected by said common council without first having obtained the affirmative vote of a majority of the tax-payers of said city, at a meeting to be called for that purpose, after having given ten days' public notice of the same, and of the place and object of such meeting, and of the time thereof, by publishing the same in two newspapers having the largest circulation in said city, and by posting a copy of such notice in some public place in each ward of said city: *Provided further*, That such bonded indebtedness shall not exceed the sum of ten thousand dollars at any one time. Fire engines, etc.

SEC. 2. This act shall take immediate effect.

Approved May 28, 1879.

[No. 403.]

AN ACT to disorganize the township of Geneva and to change the boundaries of the township of Akron in the county of Tuscola and to attach the territory comprised therein to the township of Akron and Columbia.

SECTION 1. *The People of the State of Michigan enact*, That section thirty-six of the township of Geneva and section one of the township of Akron in Tuscola county, be and the same are detached from their respective towns and attached to the township of Columbia in said county. Territory attached to Columbia.

SEC. 2. All of the township of Geneva, except section thirty-six by this act attached to the township of Columbia, is hereby attached to and become and constitute a part of the township of Akron in Tuscola county. Territory attached to Akron.

SEC. 3. Each of the said townships of Akron and Columbia in the

Townships made
legal successors.

county of Tuscola are hereby constituted and made the legal successors of said township of Geneva in and to such an extent as hereinafter provided, and as such legal successors shall succeed to so much of the property, real, personal, and mixed, and rights of action belonging to said township of Geneva as shall be apportioned as provided by section four of this act, and each of the said townships of Akron and Columbia shall assume so much of the lawful indebtedness and claims against said township of Geneva as shall be apportioned as provided by section four of this act.

Board of super-
visors to appor-
tion property.

SEC. 4. The board of supervisors of the county of Tuscola at the next meeting thereof, whether special or regular, after this act shall take effect, shall apportion all the property, real, personal and mixed, of said township of Geneva between and among the said township [townships] of Akron and Columbia on the basis of the assessed valuation of the property of said township of Geneva, allowing to each of said townships so much thereof as the assessed valuation of the territory acquired by this act bears to the entire assessed valuation of said township of Geneva, and at the same time and in like manner they shall apportion to each of said townships all the lawful debts, claims and obligations of and against the said township of Geneva. And the officers of said township shall, after this act takes effect, deposit all the records, books, vouchers, papers, moneys, and all other property whatever belonging to said township of Geneva with the clerk of the county of Tuscola, who is made the proper custodian of such property until the same shall be apportioned and divided as provided by this act.

Records, where
deposited.

SEC. 5. This act shall take effect March first, eighteen hundred and eighty.

Approved May 28, 1879.

[No. 404.]

AN ACT to incorporate the village of Clare in the county of Clare.

Territory incor-
porated.

SECTION 1. *The People of the State of Michigan enact*, That the following described territory, to wit: The east half of section thirty-four and the west half of section thirty-five in town seventeen north, of range four west, in the county of Clare and State of Michigan, be and the same is hereby constituted a village corporate, to be known as the village of Clare.

Name.

First election.

SEC. 2. The first election of officers of said village shall be held at the town hall in said village on the third Monday of June, in the year of our Lord eighteen hundred and seventy-nine, due notice of which election shall be given by the board of registration hereinafter appointed, by posting notices in three public places in said village at least ten days before said election and by causing a copy of said notice to be published in the Clare County Press, a newspaper printed and published in said village, at least one week before said election.

Notice.

SEC. 3. Arthur W. McIntyre and William H. Elden are hereby

constituted a board of registration, for the purpose of registering voters for the first election to be held in said village, and said board of registration are hereby required to meet at the office of Wheaton and Perry in said village, on the Saturday preceding the said third Monday of June, in the year of our Lord eighteen hundred and seventy-nine, and register the names of all persons residing in said village and having the qualifications of voters at annual township meetings, due notice of which registration shall be made by said board by posting notices thereof in three public places at least ten days previous to said registration and by publishing a copy of said notice in the Clare County Press, a newspaper printed and published in said village, at least one week before said meeting of said board of registration.

Board of registration.

Meeting.

Notice.

SEC. 4. The said village of Clare shall in all things not herein otherwise provided be governed by and its powers and duties defined by an act entitled "An act granting and defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and the acts amendatory thereto: *Provided, however*, That nothing herein contained shall be so construed as to compel the said village of Clare to build, repair, or maintain any bridge or bridges within the corporate limits of said village, but all such bridges now built, or hereafter constructed in said village shall be built, maintained, and repaired by the entire township of Clare, as if the said village had not been incorporated, and shall be under the direction and control of the proper officer or officers of said township.

Incorporated under law of 1875.

Proviso.

SEC. 5. In case the said officers are not elected at the time designated in section two of this act, an election for officers may be held at any time within one year from the time designated in said section two of this act, on notice being given as provided therein.

When election may be held if not at time designated.

SEC. 6. This act shall take immediate effect.

Approved May 28, 1879.

[No. 405.]

AN ACT to reincorporate the village of Sault Ste. Marie.

SECTION 1. *The People of the State of Michigan enact*, That all that tract of country situate in the township of Sault Ste. Marie, county of Chippewa, and state of Michigan, described as follows: All of fractional sections four, five, and six, the north half of sections seven and eight, and the northwest quarter of section nine in township forty-seven north, of range one east; also all of fractional section one in township forty-seven north, of range one west, be and the same is hereby constituted a village corporate under the name of "The village of Sault Ste. Marie."

Territory incorporated.

Name.

SEC. 2. The said village of Sault Ste. Marie shall, in all things not herein otherwise provided, be governed by, and its powers and duties defined by act number sixty-two of the session laws of eighteen hundred and seventy-five, entitled "An act granting and

Incorporated under law of 1875.

defining the powers and duties of incorporated villages," approved April first, eighteen hundred and seventy-five, and the several acts amendatory thereof.

First election.

SEC. 3. The first election of officers of said village shall be held at the court-house of the county of Chippewa, in said village, on the first Tuesday of March, eighteen hundred and eighty, and shall be conducted in the manner and form prescribed in the act under which said village is herein incorporated; and due notice thereof shall be given by the board of registration hereinafter appointed, by posting notices of the time and place of such election, at least ten days previous thereto, in three public places in said village.

Notice.

Board of registration.

SEC. 4. Charles S. Barker, Louis P. Trempe, and Chauncey Montgomery are hereby constituted and appointed a board of registration for the purpose of registering the qualified electors of said village for the said election therein, and shall meet on the Saturday preceding the first Tuesday of March, eighteen hundred and eighty, and register the names of all persons presenting themselves for registration, and having the qualifications of voters at annual township meetings. Notice of the time and place of such registration shall be given by said board, at the same time and in the same manner that notice of the said election in said village is given.

Meeting.

Notice.

President member of the board of supervisors.

SEC. 5. The president of said village shall be *ex officio* a member of the board of supervisors of the county of Chippewa, and shall be entitled to vote upon all matters that may be brought before said board of supervisors; and for attending the meetings thereof, shall receive the same compensation allowed by law to supervisors of townships, which shall be audited by said board, and paid by the county of Chippewa.

Compensation.

SEC. 6. This act shall take immediate effect.

Approved May 29, 1879.

[No. 406.]

AN ACT to amend article six of act number four hundred and twenty-eight of the session laws of eighteen hundred and sixty-nine, entitled "An act to reincorporate the village of Benton Harbor," by adding thereto a new section, to stand as section eight.

Act amended.

SECTION 1. *The People of the State of Michigan enact, That* article six of act number four hundred and twenty-eight of the session laws of eighteen hundred and sixty-nine, entitled "An act to reincorporate the village of Benton Harbor," be and the same is hereby amended by adding a new section thereto to stand as section eight, and to read as follows:

Labor on streets for penalties.

SEC. 8. When any person shall be convicted, before any court of competent jurisdiction, of a violation of any by-law, rule, regulation or ordinance of said village, for which the penalty shall consist of a fine, the board of trustees of said village shall have full power,

under such regulations as they shall adopt, to compel any party thus fined and who fails to pay the same, to perform manual labor for the benefit of said village, upon the streets, cross-walks or side-walks, for the full payment of said fine and costs.

Approved May 29, 1879.

[No. 407.]

AN ACT to amend an act, entitled, "An act to revise the charter of the city of Detroit, approved February fifth, eighteen hundred and fifty-seven, as amended by the several acts amendatory thereto," and to add several sections thereto and to repeal several sections thereof.

SECTION 1. *The People of the State of Michigan enact, That* Sections amended.
sections two and three of chapter two of said act, "to revise the charter of the city of Detroit," as amended by act number four hundred and eighty-six of the session laws of eighteen hundred and sixty-nine, be and the same are hereby amended so as to read as follows:

SEC. 2. The following officers shall be appointed by the common council at a meeting to be held on the second Tuesday in June of each year, viz.: A clerk of the recorder's court, who shall be appointed on the recommendation of the recorder; one or more physicians; one or more clerks of the market; one or more weigh-masters; one or more pound-masters; a gas inspector; a clerk of the police court, who shall be appointed on the recommendation of the police justice, and a city engineer on the nomination of the board of public works, whose term of office, duties, and compensation shall be prescribed by the common council; and such other officers, deputies, assistant officers and agents as may be necessary, and whose appointment shall be authorized by prior resolution of the common council. A controller shall be appointed on the third Tuesday of June preceding the expiration of his term of office; and, on the nomination of the mayor, a receiver of taxes, whose term of office shall be two years; a superintendent of the house of correction, whose term of office shall be three years; and a counsellor, who shall be a practicing attorney, and whose term of office, duties, and compensation shall be prescribed by the common council: *Provided, That* Appointment of officers.
any appointment which shall not be made on the day named may be made at any subsequent regular session of the common council: *And provided further, That* Proviso.
any office created by ordinance or resolution of the common council, may be filled at any time until the second Tuesday of June following, when, as in cases of other offices, the regular term of service shall commence, and the office, if continued, be filled for the ensuing year, unless otherwise provided by the ordinance or resolution creating such office.

SEC. 3. There shall be the following boards of officers of the corporation: A board of water commissioners, to be appointed and City boards.

Powers and
duties of board
of poor commis-
sioners.

constituted as provided for in the act incorporating the board of water commissioners of the city of Detroit, approved February fourteenth, one thousand eight hundred and fifty-three, and acts amendatory thereof; a board of education, to be constituted as provided for in the act incorporating the board of education of the city of Detroit, approved February seventeenth, one thousand eight hundred and forty-two, and all present and existing acts amendatory thereto; a board of inspectors of election, to be appointed and constituted as hereinafter provided; a board of four poor commissioners, who shall be appointed by the common council, on the nomination of the mayor, and who shall have the care and management of the poor of the city of Detroit, and who shall nominate and, with the consent of the common council, appoint a secretary, a superintendent of the poor, and such other officers as the common council shall prescribe, and whose compensation shall be fixed by the common council. The said board of poor commissioners shall enforce all ordinances, resolutions, and regulations that the common council shall adopt and prescribe relative to the city poor and the funds raised for their relief. Said board shall have power, subject to the provisions of this act, to purchase clothing, provisions, fuel, and supplies for distribution among the poor, but no money shall be paid out of the treasury for any such purpose until the common council shall have authorized the controller to draw his warrant therefor. The articles so purchased shall be disbursed by the board, and the board shall make a detailed report of its disbursements to the common council at its first regular session in each month, and shall file a copy of such report in the office of the controller. The board shall have charge of the burial of the poor deceased persons, and of deceased strangers, and for that purpose may employ undertakers and other persons when necessary. Cash disbursements shall be made under such rules and regulations as the common council shall prescribe. The board shall have power to receive and disburse donations for the relief of the poor, and may act in conjunction with any society or organization for charitable purposes existing in said city, and shall have and exercise such other powers and duties as the common council shall prescribe. The members of said board shall receive no compensation for their services. The first members of the board of poor commissioners appointed under this act shall hold office for the terms of one (1), two (2), three (3), and four (4) years respectively, such terms to be designated by the mayor in nominating each commissioner. Thereafter one commissioner shall be appointed annually for a term of four years: *Provided*, That the organization of the board of poor commissioners shall take effect at the expiration of the term for which the present incumbent of the office of director of the poor was elected: *Provided*, Nothing in this section contained shall be construed as affecting the board of fire commissioners, the metropolitan police commissioners or board of public works, or boards of estimates under the several acts establishing and relating to the same.

SEC. 2. That chapter two of said act be, and the same is hereby

amended, by adding thereto three sections, to be numbered sections thirty-six, thirty-seven, and thirty-eight, and to read as follows:

Chapter amended.

SEC. 36. Each officer of the city on qualifying for his office, and each board or commission of the city, the appointment of whose assistants or other employés is vested in the common council, shall nominate to said common council the person or persons whom the said officer, board or commission, shall desire to have appointed to any position in their respective offices, or under their control, designating in the communication of nomination the position or duty to which each of such persons is to be assigned. And it shall be the duty of the common council to confirm or reject the said nominations, and no person or persons shall be appointed to any such office without having first received the nomination of the head of the office, or board or commission, in which such person or persons are to be employed. This section shall not apply to appointments already lawfully made. In case of the incompetency, neglect of duty, or other misconduct of any such assistants, clerks, or subordinates so appointed to any such office, the officer, board or commission, in whose office such person or persons have been appointed, shall represent the fact of such incompetency, neglect of duty or other misconduct, to the common council by communication, which shall contain the charges and specifications of any such neglect of duty, incompetency or other misconduct. And if such charges are sustained, then such assistants, clerks or subordinates may be removed by the common council. Any vacancy so occasioned, or by resignation, death, or otherwise, shall be filled in the manner above provided.

Officers and boards to nominate persons for appointment.

Council to confirm or reject.

SEC. 37. All fees or charges as are, or may be, by the city charter or ordinances, made chargeable or collectible by any city officers, executive board or commission of the city of Detroit, except as the same may apply to the board of education, the board of fire commissioners, the metropolitan police commissioners, and the board of water commissioners, shall belong to the city of Detroit, and be paid over to the city treasurer by such officer, executive board, or commission, and a receipt therefor taken in the same manner as is provided for all other collections and payments to or for the city of Detroit. And every such officer, executive board, or commission, shall make a written report to the controller, under oath, of all such fees and charges so collected and deposited, together with the receipt from the city treasurer for the same, in the same manner as is provided for similar reports. And no officer, executive board or commission, excepting the boards above particularly mentioned, or the employés of said boards, shall receive compensation for his or their services, other than such salary as may be fixed by the common council in the manner provided.

Fees to belong to city and be paid to city treasurer.

Officers to make written reports of fees received.

SEC. 38. The offices heretofore known [known] as city collector and city sexton are hereby abolished, and all provisions contained in the present city charter which pertain to such offices are hereby repealed: *Provided*, This section shall not become effective until the second Tuesday in January first following the passage of this act.

Offices of collector and sexton abolished.

Section amended.

SEC. 3. That section nine of chapter two of said act, "To revise the charter of the city of Detroit," as amended by act number five hundred and eighteen of the session laws of one thousand eight hundred and sixty-seven, approved March twenty-eighth, one thousand eight hundred and sixty-seven, be and the same is hereby amended so as to read as follows:

Councilmen not to hold office.

SEC. 9. No member of the common council shall hold any other city office excepting as provided by this act, or any office of the county of Wayne, except notary public.

Section amended.

SEC. 4. That section fourteen of chapter two of said act be and the same is hereby amended so as to read as follows:

Official term of officers.

SEC. 14. The official terms of all officers who are elected, excepting treasurer, shall commence on the second Tuesday of January after the annual city election at which they may have been elected, and the official terms of all officers who are appointed shall commence on the first day of July, unless it is herein otherwise provided. The official terms of the members of the board of water commissioners shall commence on the first Tuesday of May, and of members of the board of fire commissioners and board of review, on the first day of April; the terms of the members of the poor commission shall commence on the first day of July, excepting the members first appointed, whose terms shall commence on the second Tuesday of January, one thousand eight hundred and eighty, and shall continue for the terms of one, two, three and four years respectively, from the first day of July next following; and the terms of the comptroller, treasurer, assessor and receiver of taxes shall commence on the first day of July. This section shall be so construed as not to affect the terms of office of the present incumbents of the offices herein named.

Sections amended.

SEC. 5. That section seven of chapter eight be and the same is hereby repealed, and that sections six and thirty-one of chapter eight of said act be and the same are hereby amended so as to read as follows:

Taxes for interest fund.

SEC. 6. The common council shall annually levy, assess, and collect on the assessed value of all the real and personal estate of said city, made taxable by the laws of this state, taxes for the purposes of the interest fund, not exceeding in amount a sufficient sum to pay the interest accrued, or to accrue, on the funded debt of said city for the year for which such taxes are levied: *Provided*,

Proviso.

That the common council may further provide in such annual tax levy for a sum sufficient to cover any deficiency which may have occurred, or is likely to occur, to this fund by reason of the non-payment of taxes, or from any other cause whatever; and also taxes not less than five, nor more than ten thousand dollars, for the purposes of the sinking fund.

Board of commissioners of sinking fund.

SEC. 31. The mayor, controller, treasurer, and committee on ways and means, and their successors in office, by virtue of their offices, shall be a board of commissioners of the Detroit city sinking fund. They shall, from time to time, upon the best terms they can make, purchase or pay the outstanding funded debt of said city or such part thereof as they may be able to purchase or pay,

until the same be fully purchased or paid; and all bonds and evidences of debts thus purchased or paid, shall be delivered to the treasurer, and shall become and be the property of the commissioners of the sinking fund and the interest thereon shall be credited and belong to the sinking fund; and whenever they cannot arrange for purchasing or paying the said debt, or any part thereof, they shall, temporarily, and until they can so arrange, invest the moneys belonging to said sinking fund in such securities, bearing interest, as they deem safe and advisable. Said commissioners shall, from time to time, and whenever requested by the common council, make report of their doings, which report shall be made to the common council, referred to, and filed with the controller, and recorded by him in some proper book, to be provided for that purpose.

SEC. 6. That section nine of chapter eight of said act, "to revise the charter of the city of Detroit," as amended by act number one hundred and thirty-six of the session laws of one thousand eight hundred and sixty-one, approved March twelfth, one thousand eight hundred and sixty-one, be and the same is hereby amended so as to read as follows:

Section amended.

SEC. 9. The common council shall also have power with the assent of the board of estimates to provide money for the sewer fund and the public building fund, by borrowing upon the faith and credit of said city, and upon the best terms that can be made, such sums of money as shall be deemed necessary and expedient, and to issue the bonds of the city therefor; but said bonds shall not be negotiated at less than their par value, or bear interest to exceed seven per centum. The common council shall also have power with the assent of the board of estimates to borrow by issuing bonds to be known as "public improvement bonds of the city of Detroit," on the faith and credit of the city as aforesaid, such sums of money as may be necessary for the purpose of constructing a highway by bridge or tunnel, with suitable draws, sites and approaches over or under the Detroit river from any point within the city limits or within one mile thereof: *Provided*, That all [of] said public improvement bonds issued for the purpose above expressed, and for the purchase of Belle Isle, and bridging the American channel of the Detroit river, if the same shall have been or may be authorized by an act of the legislature of this state, shall not exceed the sum of seven hundred thousand dollars: *Provided, however*, That the gross debt of the city, not including the debt of the water board, and deducting the means in the sinking fund of the city, shall never exceed two per cent of the assessed value of all the real and personal property in said city; and all bonds or other indebtedness issued or created in excess thereof shall be void. Bonds issued under this section shall be respectively denominated "sewer bonds of the city of Detroit," "public building bonds of the city of Detroit," and "public improvement bonds of the city of Detroit," and shall be regularly dated and numbered in the order of their issue, shall be for sums not less than five hundred dollars each, and shall be payable in not less than five years or more than

Power of council to borrow money for certain funds.

To issue bonds. *Provided*.

Provided.

How bonds to be denominated.

thirty years from date; shall be issued under the seal of the corporation, signed by the mayor, and countersigned by the controller.

Record of bonds. The controller shall keep an accurate record of said bonds, and of the class of indebtedness to which they belong, the number, date and amount of each bond, its rate of interest, when and where the same is payable, and the person to whom it is issued. The proceeds of said bonds shall be paid into the city treasury, and be credited to the funds for which the bonds were issued, and be applied exclusively to the purpose for which said funds are constituted by this act. It shall be the duty of the city controller, in the preparation of all bonds, as required by this act, to cause to be written or printed upon the bond, on the outside fold of the same, so that the same may be always in plain sight, the following words, to be signed by the treasurer of the city, and the bonds not to be valid without his signature:

What to be printed on bonds.

"This bond has been made and issued in compliance with law; has been duly registered in the books of this office, and the proceeds of the same, together with all premiums on sale and interest accruing before delivery, have been paid into this office."

Detroit, -----, 18..,

-----,
City Treasurer.

Sale of bonds.

When any issue of bonds is duly authorized by law, and the controller shall have first advertised, in such manner as the common council shall direct, for sealed proposals for the purchase of the bonds about to be issued, and shall have received proposals for the purchase of such bonds, he shall report the bids to the common council. The common council having authorized the sale of such bonds, according to the proposals for the same, the controller shall prepare such an amount of the issue only as may be ordered sold, and, having caused the same to be duly executed and recorded in the books of his office, with all the particulars as required by the charter, he shall transmit the same, with the name of the purchaser, number, date, time, and denomination of bonds, to the city treasurer, taking his receipt for the same, and shall also report the entire transaction to the common council at its next succeeding session. It shall be the duty of the city treasurer, on receipt of said bonds, to immediately notify the parties to whom the bonds have been awarded that the same are ready for delivery, and deliver to said parties the bonds according to their accepted bids for the same, charging them with the premium, if any is included in the proposals, and the interest accrued on the bonds at the date of delivery, and further comply with this chapter by recording said bonds and signing the blank as aforesaid, and report to the common council at its next following session the full particulars of the delivery of the bonds, which report, together with the report of the controller heretofore mentioned, shall be referred to the committee on ways and means, who shall compare the report of the treasurer with that of the controller and report to the council upon the correctness of the same when they shall have found them to be correct. It shall be the duty of the city treasurer, whenever coupons are presented at his office for payment, to first examine his coupon

Payment of coupons.

book to ascertain if the bond from which such coupon is cut has been regularly issued and the proceeds thereof have been regularly paid into the treasury, and if the payment of such interest is due. And if such be found to be the fact, he shall transmit said coupons, with his certificate of their correctness, to the city controller. It shall be the duty of the controller, upon the receipt of said coupons and certificate of the treasurer, to examine the same, comparing them with the records of bonds in his office, and previous payment of coupons, and, if found correct, issue his warrant on the treasurer in payment of the same, whereupon he shall cause the said coupons to be firmly pasted in a book prepared for such purpose, which book shall be so prepared and ruled, with spaces for each coupon, under a complete record of the bond from which said coupon is cut, together with the date of payment and the name of the party to whom payment is made, so that the said book will at all times properly and plainly display the complete record of the bond and all payments of interest by the original coupon, date of each payment, and name of party to whom paid, and to which book or books the controller shall make reference, before the payment of any such coupon.

SEC. 7. That sections twenty-four and twenty-six of chapter five, and section two of chapter nine of said act "to revise the charter of the city of Detroit," as enacted and amended by act number two hundred and eighty-two of the session laws of one thousand eight hundred and seventy-one, approved April seventeenth, one thousand eight hundred and seventy-one, be and the same are hereby amended so as to read as follows: Sections amended.

CHAPTER V.

SEC. 24. The common council shall have power to provide for and preserve the purity and salubrity of the waters of the Detroit river; to prohibit and prevent the depositing therein of all filthy and other matter tending to render said water impure, unwholesome or offensive; to preserve and regulate the navigation of the said river within the limits of the said city; to prohibit and prevent the depositing of or keeping therein any structure, earth, or substance tending to obstruct or impair the navigation thereof; to remove all obstructions that may at any time occur therein, and to direct and regulate the stationing, anchoring, and moving of vessels and the laying out of cargoes and ballast for the same. It may also license, continue, and regulate as many ferries from within said city to the opposite shore of the Detroit river, for the carrying and transporting of persons and property across said river in such manner as shall seem most conducive to the public good: *Provided, however,* That nothing in this act contained shall be construed to prevent the construction and maintenance of a bridge across the Detroit river. It shall be the duty of the board of metropolitan police commissioners to detail an officer or member of the metropolitan police force of said city who shall act as, and whose official designation shall be, harbor master. The harbor master shall have full Parity of waters.
Proviso as to bridge.
Harbor master.

Duties of harbor
master.

police powers over the waters of the Detroit river within said city, and shall enforce the ordinances of the city in regard thereto. He shall have power to control and regulate the anchoring of vessels and boats in said river and the use of the docks and wharves along the same, and it shall be the duty of every captain, master, owner, or other person in charge of any such vessel or boat to comply with the ordinances of the city and to obey the instructions and directions of said harbor master, and in case of any neglect or refusal so to do it shall be the duty of the harbor master to move said boat or vessel, and for that purpose he may employ men and tugs, and may enter upon and take and retain possession of said boat or vessel until the reasonable expenses so incurred by him have been paid by the master or other person having charge of such boat or vessel, and the police force of said city shall render him such assistance as may be necessary to enforce the city charter and ordinances. Any captain, master, owner or other person in charge of any vessel who shall neglect or refuse to comply with the instructions and directions of the harbor master in the performance of his duties shall be deemed guilty of a misdemeanor.

Powers of council as to parks, streets, etc.

SEC. 26. The common council shall have power to make, grade, improve, and adorn the public squares, spaces, grounds, and parks within or without the limits of said city, belonging to or under the control of the corporation, and to control and regulate the same consistently with the purposes and objects thereof. It shall have the power to establish, open, widen, extend, straighten, alter, vacate, and abolish highways, streets, avenues, lanes, alleys, and public grounds or spaces within said city, and to grade, pave, repair, and otherwise improve the highways, streets, avenues, lanes, alleys, or interior public spaces created by the intersection of streets, crosswalks, and sidewalks in said city, with stones, wood, brick, or other material, and the common council shall have full power and authority to provide for the paying the costs and expenses thereof by assessment in such manner as shall be prescribed by law, which assessment shall be a lien, until paid, on the lot, lots, or premises on which the same are bounded, and shall be collected in such manner as shall be authorized by law. The said common council may also provide for working and improving all highways, streets, avenues, lanes, alleys, and public spaces within said city, and may assess and levy upon all taxable property within said city and expend such highway taxes therefor as may be necessary, and may elect whether the same shall be collected in money or labor in such amount as the common council shall prescribe for each ward respectively: *Provided*, Such highway taxes shall not in amount exceed the rates now fixed by law, and the same shall be assessed, levied, and collected as other taxes.

Assessment of
property.

SEC. 2. The city assessor and his assistants shall, between the first day of September in each year, and the first day of April in the succeeding year, assess at its true cash value all the real and personal property subject to taxation by the laws of this State, within the limits of each ward respectively of said city, and said assessor and assistants shall, within the same period, make out and com-

plete the assessment rolls, one for each ward, in books to be provided for that purpose by the common council, and to be delivered to the assessor on or before the first day of September in each year. The action of the assessor and his assistants shall, at all times, be subject to the correction and revision of the board of review and the common council of the city of Detroit, as provided for in the charter of the city.

Assessment subject to review.

SEC. 8. That sections six, twelve, thirteen, and fourteen of chapter nine of said act, "to revise the charter of the city of Detroit," as amended by act number one hundred and thirty-six of the session laws of one thousand eight hundred and sixty-one, be and the same are hereby amended so as to read as follows:

Sections amended.

SEC. 6. A board of review shall be appointed by the common council. Said board shall be resident free-holders and citizens of said city, and shall consist of five members. Three members of said board shall be appointed on the nomination of the mayor, and shall hold their office for the term of three years, except that the three persons first appointed shall hold their office respectively for the term of one (1), two (2), and three (3) years, as shall be determined by lot, on the first meeting of said board, and thereafter one member of said board shall be appointed on the nomination of the mayor, each year, for the term of three years, as hereinbefore provided. Two members of said board of review shall be appointed annually, on the nomination of the president of the common council, who shall hold their office for the term of one year, and in making his nominations, the president of the council shall select an alderman representing one of the wards lying and being in that portion of the city east of Woodward avenue, and known as the eastern district of the city, and one alderman representing one of the wards lying and being in that portion of the city west of Woodward avenue, and known as the western district of the city. The board of review shall meet at the assessor's office in said city, on the first Monday in April in each year, and continue in session from day to day, until all of said assessment rolls shall have been fully and carefully reviewed, corrected and approved, provided that the sessions of the board shall not exceed in length a period of four weeks. The board shall have power, and it shall be its duty, to equalize, alter, amend and correct any assessment or valuation, and to place upon the assessment roll of the proper ward, any taxable property, real or personal, not already assessed, held or owned by any person or persons, and to strike from said rolls any property, real or personal, wrongfully thereon; but no assessment shall be increased or made by said board, without notice to the person or persons affected thereby, either verbal, or personal, or written, or printed, and left at the usual residence of such person, if a resident, and if a non-resident, by a publication in the official newspaper published in said city. Any person considering himself aggrieved by reason of any assessment, may complain thereof, either verbally or in writing, before said board, and on sufficient cause being shown by the affidavit of such person by oral proof, or by other evidence to the

Board of review.

Meeting of board.

Powers of board.

Compensation of board.	<p>satisfaction of such board, it shall review the assessment complained of, and may alter or correct the same as to the person charged thereby, the property described therein, and the estimated value thereof. The concurrence of a majority of the board shall be sufficient to decide any question of altering or correcting any assessment complained of. The board or a majority of them, having completed the review and correction of said assessment rolls, shall sign and return the same to the common council. The members of said board, including the members appointed from the common council, shall receive such compensation for their services as shall be prescribed by the common council: <i>Provided</i>, That this section shall not be construed to affect the term of office of the members of the board of review now holding office, nor change the organization of said board as now perfected.</p>
How taxes placed on assessment roll.	<p>SEC. 12. After the assessment rolls shall have been fully and finally confirmed, as provided in the preceding section, it shall be the duty of the assessor to cause the amount of all taxes in dollars and cents authorized to be assessed and collected in each year, to be ratably assessed to each person named, or lots described upon and according to the aggregate valuation such person or lots shall have been assessed in said assessment rolls, or books prepared for that purpose, to be known as the tax-rolls for each ward, in separate columns, showing the amount of highway, sewer, school and city taxes assessed to each person or lots in each year; and when said tax-rolls shall have been completed, the assessor shall deliver the same to the controller, who shall cause the same to be delivered to the receiver of taxes, and take his receipt therefor and charge him therewith. Upon the receipt of the tax-rolls by the receiver of taxes as hereinbefore provided, the taxes therein stated shall become due and payable, and the receiver of taxes shall forthwith, upon the reception of said tax-rolls, give six days' notice by publication in the official daily paper published in said city and by posting the same in at least six public places in each ward, which notice shall be a sufficient demand for the payment of all taxes on said rolls, that the general tax-rolls have been deposited with him and that payment of the taxes therein specified, may be made to him at any time before the thirtieth day of December thereafter. That no addition will be made to taxes paid before the first day of August, but that an addition of one per cent of every unpaid tax will be made thereto on that day, and a like addition of one per cent every thirtieth day thereafter until such addition shall amount to six per cent of such tax: <i>Provided, however</i>, That when a person shall, on or before the twenty-fifth day of July, hand to the receiver of taxes a list of the property on which he wishes to pay the taxes, and shall be unable to pay said taxes before the first day of August on account of a pressure of business in the receiver's office, then he shall not be charged any percentage if he pays said taxes by the tenth day of August. Upon the receipt of any tax, the receiver shall mark the same paid upon the proper roll, and give a receipt therefor. On the first day of January next following the time when any tax shall become due and payable, the receiver shall</p>
Notice by receiver of taxes.	
Proviso.	
Receipt for taxes.	
Interest on taxes.	

add to every such tax six per cent of the amount thereof as stated in the roll, and the amount of the tax and of such additions as are hereinbefore specified, shall henceforth be the unpaid tax, and shall bear interest from that day at the rate of twelve per cent per annum until paid, except as is herein otherwise provided. On or before the fifteenth of January, the receiver shall add to the tax-rolls of the unpaid taxes of each ward an additional column which shall show the augmented amount of every such tax. Immediately after completing such roll, he shall cause a notice to be published in five successive numbers of at least two daily newspapers published in said city, stating that said roll of unpaid taxes has been made, and that it will remain in his office, where such taxes may be paid until the first day of February following, after which the property against which such taxes are assessed shall be advertised and sold as hereinafter provided. It shall be the duty of the assessor to make copies of said rolls as finally confirmed by the common council, upon which he shall ratably assess the county and state taxes, as provided by the general laws of the state.

Notice of unpaid taxes.

SEC. 13. On and after the first day of August in each year, and at any time until the taxes mentioned in this section are paid, it shall be the duty of the receiver of taxes and the clerks or subordinates in his office, designated by him for that purpose, to collect all unpaid taxes which are assessed against any property or value other than real estate, and if necessary the said receiver and said clerks and subordinates, under the direction and in the name of the receiver, shall have the power to levy upon and sell at public auction the personal property of any person refusing or neglecting to pay such tax. Three days' notice of any such sale shall be given by the receiver, by publication in the official and one other daily newspaper of said city, and any surplus remaining after the payment of the tax and percentage, and the expense of drayage and storage, shall be paid over to the owner of such property or other person entitled to receive the same.

Collection of unpaid taxes.

SEC. 14. The owners or occupants, or parties in interest to any real estate assessed under this chapter, shall be liable to pay every such tax or assessment, and if the same shall not be paid by the first day of February following, or any part thereof, it shall be lawful for the receiver of taxes to cause a notice to be published in the official daily newspaper for the city, once a week for four successive weeks, and posted in three or more public places in each ward, requiring the owners or occupants of, or parties interested in such lands, tenements, hereditaments, or premises, to pay such assessment or tax, and that if default be made in making such payment, such real estate will be sold at public auction, at a day and place to be specified in said notice, for the lowest term of years at which any person shall offer to take the same, in consideration of advancing and paying such assessment or tax, with the additions provided in this act, and the cost and expense of advertising, subject to the limitations as to amount and price contained in section eleven of chapter five of said act as amended. The common council in its discretion, may cause said notice or any part thereof

Sale of real estate for taxes.

Proviso.	to be published in a German newspaper in said city: <i>Provided</i> , That all publications in languages other than English, shall not exceed the sum of twenty-five hundred dollars per annum, now authorized by an act to revise the charter of the city of Detroit, approved March fourth, one thousand eight hundred and seventy-nine.
Section amended.	SEC. 9. That section nine of chapter nine of said act be, and the same is hereby amended so as to read as follows:
Appeal from board of review.	SEC. 9. The common council, after receiving said assessment rolls, shall, at its next regular session, proceed to consider the same, and any person considering himself aggrieved by the assessment of his property, and the decision of such board of review thereon, may appeal to the common council at the said regular session. Every appeal shall be in writing and shall state specially the grounds of the appeal and the matter complained of, and no other matter shall be considered by the common council. While acting upon said assessment rolls or appeals, any member of said board of review may, and on request of the common council, by resolution, shall, meet with the common council and make such explanations as he may deem requisite in any case.
Section amended.	SEC. 10. That section fifteen of chapter nine of said act, "to revise the charter of the city of Detroit," as amended by act number four hundred and eighty-six of the session laws of one thousand eight hundred and sixty-nine, be and the same is hereby amended so as to read as follows:
Sale of real estate for non-payment of taxes.	SEC. 15. If the owner or occupant of or parties in interest in such real estate do not pay such assessment or tax, with costs, additions, and charges, within the period above prescribed for the publication of said notice, then the said receiver shall have the power, without any further notice, to cause such real estate to be sold at public auction, for the lowest term of years at which any person shall offer to take the same, in consideration of advancing such assessment or tax, with the costs, additions, and charges, and to direct the execution of a proper certificate of such sale to the purchaser thereof, and if such real estate shall not be redeemed within one year after such sale thereof, as hereinafter provided, the controller shall, in the name of the city of Detroit, execute and deliver to such purchaser, or his assignee, a proper deed for the conveyance of such real estate for the term for which the same was sold, which deed shall be <i>prima facie</i> evidence of the regularity of all the proceedings under which the sale was made and said deed was executed up to the date of such deed. Any person who, under such deed, may enter into such real estate and erect or place any building or other property thereon, shall have the right, at the expiration of said term, or in case he shall be ousted before the expiration of such term by any person claiming adversely to said deed, then, within three months after trial, judgment of ouster, or ejectment, to remove such buildings or property from said real estate. And in all sales of lands for taxes as aforesaid, if the purchaser or his assigns shall die before a deed or other conveyance shall be executed on such sale, the deed may be exe-

cuted by the controller to and in the name of the purchaser or assigns, who, if living, would be entitled to a deed or conveyance, which deed or conveyance shall vest the title in the heirs or devisees of such diseased person, in the same manner and liable to like claims of creditors and other persons as if the same had been executed to such deceased person immediately previous to his death, or the executor or administrator may assign the certificate of purchase, and the deed or conveyance may issue to the assignee thereof, and in like cases which have heretofore occurred, the same rule shall apply, and all deeds or conveyances heretofore issued in the name of any diseased person, who, if living at the time of the execution thereof, would have been entitled thereto, shall have like effect as above provided.

SEC. 11. That section seventeen of chapter nine of said act be and the same is hereby amended so as to read as follows: Section amended.

SEC. 17. Any person in the possession of any real estate at the time any tax is to be collected, shall be liable to pay the tax imposed thereon, and in case any other person, by agreement or otherwise, ought to pay such tax, or any part thereof, the person in possession, who shall pay the same, may recover the amount from the person who ought to have paid the same in an action of assumpsit, as for moneys paid out and expended for his benefit, or may deduct the amount from any rent due or to become due to the person who should have paid said tax. Payment of tax by persons in possession of real estate.

SEC. 12. That section eighteen of chapter nine of said act "to revise the charter of the city of Detroit," as amended by act number one hundred and thirty-six of the session laws of one thousand eight hundred and sixty-one, be and the same is hereby amended so as to read as follows: Section amended.

SEC. 18. The common council shall have power to charge interest, at a rate not exceeding fifteen per cent per annum, from the time of sale upon the amount to be paid upon the redemption of any such real estate and premises so sold. Interest.

SEC. 13. That section twenty-two of chapter nine of said act be and the same is here amended so as to read as follows: Section amended.

SEC. 22. All assessment rolls and proceedings under this chapter, and all conveyances, certificates of sale, and leases of any lands, tenements, or hereditaments executed by the corporation or any of its officers, by virtue of this act, shall be taken and received in all courts as *prima facie* evidence of the regularity of the proceedings by which any tax heretofore mentioned was assessed or levied. Papers issued by city evidence.

SEC. 14. That chapter five of said act be amended by adding the following new sections thereto, to stand as sections fifty-nine and sixty. Chapter amended.

SEC. 59. The common council shall also have power to unite with the Canadian authorities or any Canadian corporation in building or [and] maintaining a public bridge or tunnel across the Detroit river: *Provided*, That the city shall have an ownership in said bridge or tunnel in proportion to the amount of money it may invest therein, or shall build and own that portion of said bridge or tunnel situated within the boundaries of this state, and shall Bridge or tunnel across the Detroit river.
Proviso.

have an equal voice with said Canadian authorities or corporation in the control and management of such bridge or tunnel and in fixing the tolls to be charged and collected for the use of said bridge or tunnel by the public. The said bridge or tunnel shall be a common and public highway, but street car and railroad companies may be allowed to run their cars over said bridge or through said tunnel, upon such terms and conditions as the common council and said Canadian authorities or corporation may from time to time prescribe.

End of fiscal year.

SEC. 60. The common council shall have power in addition to all other powers heretofore granted, to provide the necessary means by assessing, levying and collecting taxes to meet all the expenses of the city from the first day of February, one thousand eight hundred and seventy-nine, to the first day of July, one thousand eight hundred and eighty, which period of time shall be considered as one fiscal year, and all action heretofore taken by the common council and board of estimates in relation to said means, the estimating of the expenses and the assessing, levying and collecting of the taxes and assessments therefor, are hereby declared to be legal, and shall be as binding and effective as though this act had been adopted prior to such action on the part of said council and board; and for the purpose of providing means to meet the amount of interest not provided for in the appropriations for the interest fund, the common council, with the consent of the board of estimates, is hereby empowered and authorized to pledge the faith and credit of the city to meet such deficiency in said fund, by directing that bonds of the city be issued, signed by the mayor and controller in that behalf, bearing an interest not exceeding six per cent per annum, and payable at such time as the common council may direct. Such bonds shall be issued in conformity with the provisions of this act governing the issue of bonds.

Acts repealed.

SEC. 15. All acts and parts of acts contravening the provisions of this act are hereby repealed.

SEC. 16. This act shall take immediate effect.

Approved May 31, 1879.

[No. 408.]

AN ACT to amend act number two hundred and eighty-seven of the session laws of eighteen hundred and seventy-seven, entitled "An act to revise and amend the charter of the city of Port Huron," approved March twenty-ninth, eighteen hundred and seventy-seven.

Sections amended.

SECTION 1. *The People of the State of Michigan enact, That sections one, three, eight, nine, ten, eleven, twelve and thirteen of chapter two of act number two hundred and eighty-seven of the session laws of eighteen hundred and seventy-seven, entitled "An act to revise and amend the charter of the city of Port Huron,"*

approved March twenty-ninth, eighteen hundred and seventy-seven, be amended so as to read as follows:

SECTION 1. The following officers of the corporation shall be elected on the general ticket at the annual city election in said city by the qualified electors thereof: a mayor, city clerk, treasurer, and three members of the board of estimates, who shall hold their respective offices for one year and until their successors are elected and qualified, and in each ward of said city by the qualified electors thereof, one alderman for two years, one constable, one supervisor, one collector, each for one year, and one member of the board of estimates for three years. City officers.
Ward officers.

SEC. 3. There shall be four justices of the peace in and for said city, who shall be elected on the general ticket, who shall be electors and tax-payers in said city, one at each annual city election, in the same manner, who shall hold their offices for the same terms, and by the same tenure possess the same jurisdiction, powers, duties, and liabilities of justices of the peace for townships, and the justices of the peace now in office shall continue to hold their offices for the terms for which they have been elected, and in conformity with the general laws of this state. Justices of the peace.

SEC. 8. In all such cases, the person or persons on trial shall be tried by a jury unless he or they shall waive trial by [a] jury. Trial by jury.

SEC. 9. It shall be the duty of the marshal and his deputies to execute all writs, processes and warrants issued by the several justices of the peace in such cases, and to attend the courts held thereby in such cases, and in the service of process in civil and criminal matters, and in the performance of other duties the marshal shall possess all the power and may exercise the same authority as constables of townships. Marshal to execute writs, etc.

SEC. 10. Each justice before whom any such cause or causes shall have been tried or heard, shall, on or before the first Monday of April, in each and every year, and at such other times as the council shall require, make to the common council a report in writing, duly verified by him, showing the whole number of the prosecutions before him on account of violations of or offenses against any of the ordinances, rules, or regulations of the said city or the common council, classifying them by the names or description of the offenses, the whole number of acquittals, convictions and cases pending; the whole number punished by fines and penalties, with the amount of fine imposed, and amount collected in each case; the whole number punished by imprisonment and confinement, classified according to the place of confinement, and the whole number held to good behavior, and to keep the peace, and shall quarterly deliver to said common council the moneys received by him in payment of fines imposed in such cases, which said report shall be published at least once in two of the city papers. Justices to make report to council.

SEC. 11. The justices of the peace of said city shall have all the authority of justices of the peace in towns in criminal matters, and shall have all the authority and perform all the duties hereintofore provided and required of them, and hold a session of court daily, if necessary, and shall make a report to the common council of all Authority of city justices.

Officers to be tax-payers and residents.	fines and penalties which they have collected as often as they shall be required by the common council.
City attorney to be counselor.	<p>SEC. 12. No person shall be elected or appointed to, or shall hold any office under this act who shall not be, at the time of his election or appointment, and so long as he shall hold such office, a tax-payer and resident elector of said city, and no person shall be elected or appointed to or shall hold office for any ward of said city who, at the time of his election or appointment, and so long as he shall hold such office, shall not be a resident elector of the ward from or for which he may be elected or appointed. If any person elected or appointed to any office of the corporation shall cease to be a resident of the city or of the ward for which he may have been elected or appointed, such office shall thereby be vacated.</p>
Section repealed.	<p>SEC. 13. No person shall be elected to the office of city attorney unless he be, at the time of his election, a counselor of the supreme court of this state of two years' standing.</p>
Sections amended.	<p>SEC. 2. That section five of chapter two of said act be and the same is hereby repealed.</p>
Power of council to remove officers.	<p>SEC. 3. That sections six, eight, fifteen, sixteen, nineteen, and twenty-one of chapter three of said act be amended so as to read as follows:</p>
Power of mayor to suspend officers.	<p>SEC. 6. The common council may expel or remove from office any of its own members or any other officer holding office by election by the electors of the city, except the mayor, for corrupt and willful malfeasance or misfeasance in office, or for willful neglect of the duties of his office, by a vote of two-thirds of all the aldermen elect; and in such case the reasons for such expulsion and removal shall be entered on the records of the common council, with the names and votes of the members voting on the question. No officer holding office by election, shall be expelled or removed by said council unless first furnished with a copy of the charges, in writing, and allowed to be heard in his defense, with aid of counsel; and for the purposes hereof, the common council shall have the power to issue subpoenas to compel the attendance of witnesses, and the production of papers when necessary, and shall proceed within ten days after service of a copy of the charges, unless such hearing shall be adjourned to a time not exceeding thirty days in all, and then at such adjourned meeting, to hear and determine upon the merits of the case. If such officer shall neglect to appear and answer to such charges his default may be deemed good cause for his removal from office. The mayor shall have power to suspend from office the marshal, deputy marshals, constables, superintendent of public works, controller, or any of them, and in case of any such suspension, he shall report the same, with the reasons therefor, to the common council at its first meeting thereafter.</p>
Suspension of officers.	<p>SEC. 8. Any officer holding office by election by the electors of said city, against whom charges shall be preferred, may be suspended from office by a majority vote of all the aldermen elected, until such charges shall be heard and determined; and any officer holding office by appointment may be suspended temporarily from office at any time, by like vote. The mayor may</p>

suspend any appointed officer, until the next meeting of the common council, in either of which cases the mayor shall appoint some one to fill such office temporarily, until the council shall either restore such person to office, or to fill the vacancy by election.

SEC. 15. The official bond of every officer shall be conditioned that he will faithfully perform the duties of his office, and will, on demand, deliver over to his successor in office, or other proper officer or agent of the corporation, all books, papers, moneys, effects, and property belonging to the corporation, or appertaining to his office, which may be in his custody as an officer; and such bond may be further conditioned as the common council shall prescribe. The official bond of every officer whose duty it may be to receive and pay out money, besides being conditioned as above required, shall be further conditioned that he will, on demand, pay over or account for to the corporation, or any proper officer or agent thereof, all moneys received by him as such officer.

Official bonds,
how conditioned.

SEC. 16. Every person elected to the office of constable in said city, before entering upon the duties of his office shall, with two or more sureties, to be approved by the common council, execute and file with the city clerk a bond to the city of Port Huron, in the penal sum of one thousand dollars, conditioned well and faithfully in all things to execute and perform the duties of his office during the continuance therein, and to pay to each and every person who may be entitled thereto all sums of money which said constable may become liable to pay on account of any execution or process for the collection of money which shall be delivered to him, and further conditioned as the common council may prescribe.

Bond of con-
stable.

SEC. 19. The common council, or such officer as the common council shall, by resolution or ordinance prescribe, shall examine into the sufficiency of the proposed sureties in any official bond or instrument in writing required by this act, or in any contract in writing to which the corporation or any officer or board under this act shall be a party in interest, and may require such sureties to submit to an examination under oath as to their property and responsibility. The deposition of the surety shall be reduced to writing, be signed by him, be certified by the person taking the same, and annexed to and filed with the instrument in writing to which it relates.

Power of council
to examine
sureties on
official bonds.

SEC. 21. At every election, the inspectors of elections for the ward in which such election may be held, shall consist of the supervisor, who shall be chairman, and the aldermen of the ward; and if, from any cause, any or all of the inspectors shall fail to attend such election, his or their places shall be supplied by the electors present, who shall elect any of their number *viva voce*. Said inspectors, before entering upon their duties, shall each take the same oath of office prescribed for other officers under this act.

Inspectors of
election.

SEC. 4. That section twenty-two of chapter three of said act be and the same is hereby repealed.

Section repealed.

SEC. 5. That sections four, thirteen, sixteen, and seventeen of chapter four of said act be amended so as to read as follows:

Sections
amended.

SEC. 4. Suitable ballot boxes, with locks and keys, shall be pro-

Wards.	wards, and who shall hold office for two years. Each ward shall consist of convenient and contiguous territory, and they shall contain as nearly as may be, an equal number of inhabitants. The common council shall have power to divide the city into wards, and to increase the number and define the bounds and limits thereof, but no ward containing less than one thousand five hundred inhabitants, shall hereafter be organized by the common council. The aldermen of the city shall constitute the common council thereof.
Common council.	A majority of all the aldermen elected shall be a quorum for the transaction of business, but a smaller number may adjourn from day to day; and upon a call of the common council by any member thereof, if supported by a majority of the members present, whether a quorum or not, the mayor or president shall have power to send any member of the police force of the city, to bring the absent aldermen forthwith before said common council.
Quorum.	
Mayor to be president ex officio.	SEC. 3. The mayor shall be <i>ex officio</i> president of the common council and shall have a vote only in case of a tie, when his vote shall determine the pending question. The common council shall hold regular sessions at such times and places as they shall by ordinance or resolution direct, and may adjourn regular sessions from time to time as may be deemed expedient.
Sessions.	
President of council.	SEC. 7. The common council, at the first regular meeting after the newly elected aldermen or a majority thereof shall have entered into their offices, shall elect by ballot one of their number president, who shall serve for one year, unless he shall cease to be a member thereof; and he shall have the powers and duties prescribed by this act. Vacancies in the office of president may be filled by the common council in the same manner, and in case both the mayor and the president shall be absent at any meeting of the common council, a president <i>pro tempore</i> for that session may be elected, by ballot or otherwise.
President pro tem.	
Ordinances, etc., to be presented to mayor.	SEC. 11. Every ordinance, resolution, or proceeding of the common council originating the expenditure or disposal of money or property, or whereby the corporation or any officer or board of officers, under this act may incur any debt or liability, and every ordinance and resolution, except for the payment of debts and liabilities previously and lawfully contracted, shall, before it takes effect, be presented by the clerk to the mayor. If the mayor approve thereof he shall thereon write his approval with the date thereof and sign the same, and thereupon such ordinance, resolution or proceeding shall go into effect, and such as he shall not so approve and sign he shall return to the common council at its next regular meeting, together with his objections thereto in writing.
Approval.	
Veto.	
Proceedings in case of non-approval.	SEC. 12. If the mayor shall not approve any such ordinance, resolution, or proceeding he shall return the same to the common council at its next regular meeting after the same shall have been presented to him by the clerk, together with his objections thereto as above provided. The common council shall proceed at the same session to reconsider the vote by which the same was passed and adopted, and if, after such reconsideration, and at the same or next succeeding regular meeting two-thirds of all the members

elect shall agree by ayes and noes, which shall be entered of record, to pass or adopt the same, it shall go into effect.

SEC. 16. Such proceedings of the common council, as they shall direct, shall be published in one newspaper printed and published in said city, after contract shall have been entered into with such newspaper as provided in section twenty of chapter thirteen of this act, and said newspaper shall be known as the official paper of the city. All ordinances shall be published for three successive weeks in the official newspaper of said city, and shall take effect at the expiration of said publication: *Provided, however,* That the common council may fix and prescribe therein a different period, and that no ordinance shall take effect before at least one publication thereof. Proof, by affidavit, of the due publication of such ordinances shall be filed in the office of the city clerk.

Publication of council proceedings.

Publication of ordinances.

SEC. 18. No resolution, ordinance or proceeding of the common council imposing taxes or assessments, or requiring the payment, expenditure or disposal of money or property, or creating a debt or liability therefor, and no other ordinance shall be passed at the same meeting at which it was introduced, unless by unanimous consent of the aldermen present; but no ordinance or resolution shall be passed except by a majority of all the aldermen elect, except in case of a tie, as herein provided, and every such ordinance, resolution or proceeding shall be passed by yeas and nays, to be entered on the record; and upon the demand of one fourth of the members present, the yeas and nays shall be taken on any question and entered on the record.

Passage of ordinances, etc.

SEC. 21. The common council shall have power to provide for the erection of one or more bridges across the Black river in said city, and to erect, repair and regulate public wharves and docks at the end [ends] of streets, and may advertise for proposals and lease to the highest bidder, such wharves and wharfing privileges, upon such terms and conditions, and may reject any and all proposals to lease, and under such covenants as the common council may direct, but no building shall be erected thereon without the consent of the council. No lease thereof shall be executed for a longer period than five years, and such lease may be cancelled by the common council and possession taken of such wharves and wharfing privileges upon breach of any of the conditions of the lease.

Power of council as to bridges.

SEC. 23. The common council shall have power to erect, lease, maintain and repair a city hall, and such other buildings and offices as may be necessary for the use of the corporation or its officers: and it may establish and maintain market places, and may lease market booths and stands, and control and regulate the same; and may prohibit, prevent and punish forestalling and regrating.

City buildings.

Markets, etc.

SEC. 32. The common council may prevent and regulate the ringing of bells and the blowing of steam whistles, and may provide for the prohibition and prevention of any riot, rout, or disorderly noise, disturbance, or assemblage, or the crying of any goods, chattels, or wares in the streets or elsewhere in said city, or the exhibition of fireworks and the firing of guns or cannon, or any firearms dangerous to life or property. It may also prohibit

Bells, steam whistles, etc.

and prevent racing or fast and dangerous driving or riding, and may prohibit and prevent the flying of kites and all practices, amusements, and doings having a tendency to frighten teams and horses, and to regulate the speed of cars and engines on railroads within the limits of said city.

Bathing in streams, etc.

SEC. 33. The common council shall have power to prohibit or regulate bathing and swimming in St. Clair and Black rivers and Indian creek, determine the time and places thereof, and prohibit and prevent any obscene or indecent exhibition; exposure, or conduct thereat; and may also license and regulate public bath-houses or bath-rooms on land, and floating bath-houses, bath-rooms, or vessels on [the] St. Clair or Black rivers.

Compensation of officers.

SEC. 36. The common council shall have power to fix and regulate the compensation of all officers elected or appointed under or by virtue of this act, except where express provision is made herein, but the compensation of any officer fixed by any annual or periodical salary shall not be diminished or increased during his term of office. It may also authorize and regulate the demand and receipt by officers of such fees and costs, and in such cases as the council may deem reasonable, and may provide for and regulate the appointment of all officers, employes, and subordinates, and for their removal from office, and for the filling of vacancies, subject to the provisions of this act.

Punishment for violation of ordinances.

SEC. 37. The common council shall have power to determine the punishment of all persons convicted of any violation of the ordinances of said city, by imprisonment at hard labor or otherwise, and to impose fines, imprisonment, penalties, and forfeitures: *Provided*, That in no case shall the term of imprisonment be more than three months, or the fine, penalty or forfeiture more than one hundred dollars. The common council may require convicted persons to give bail for good behavior. Imprisonment for the non-payment of any fine or penalty shall not exceed three months. They shall also have power to employ all persons confined for the non-payment of any fine, penalty for forfeiture, costs or for any offense under this act, or any ordinance of the common council, in the jail of St. Clair county, or any jail, workhouse, or house of correction of said city, at work or labor, either within or without the same, or upon the streets or other public works of said city, under the control of the common council; to allow any person thus confined for the non-payment of any fine, penalty, or forfeiture, or costs, to pay and discharge the same by such work or labor, and to fix the value and rate [rates] of said [such] work and labor, and also to provide sufficient and necessary means for the protection of said [such] prisoners, while they are at such work, under the supervision or authority of the common council.

Proviso.

Limit of imprisonment.

Ferries.

SEC. 38. The common council may license, continue, control, and regulate as many ferries from within said city to the opposite shore of the St. Clair river, for carrying and transporting persons and property across said river, in such manner as shall be most conducive to the public good, but no ferry franchise shall be granted for a longer term than five years, and on such terms and

conditions as shall be fixed by the common council. Such ferry franchise shall be leased by sealed proposals to the highest bidder.

SEC. 42. The common council may authorize the city clerk to grant, issue and revoke licenses, and to direct the manner of issuing and registering the same, and the method [methods] of paying the money charged therefor into the city treasury. No license shall be granted for more than one year, and the person to whom any license is granted shall, if required, before receiving the same, execute a bond to the city in such sum as the council may prescribe, with one or more sufficient sureties conditioned for the faithful observance of the city charter and ordinances, and otherwise conditioned as the council may prescribe. The officer issuing a license may inquire into the sufficiency of the sureties in said bond, by an examination under oath, as to their property and responsibility, which oath may be administered by the person making such examination. The depositions of sureties shall be reduced to writing, be signed by them and annexed to and filed with the bond to which it relates, in the office of the city controller. Licenses.

SEC. 43. The common council shall have power by a two-third [two-thirds] vote, to refund taxes and assessments that have been illegally assessed or collected, and may vacate any such tax or assessment, and fix upon an amount to be received in lieu thereof, but no such action on the part of the common council shall in any way affect or invalidate any other tax or assessment assessed, levied or collected in said city. Taxes illegally assessed.

SEC. 44. The common council shall have power to direct, and regulate the construction, repair and cleansing of public and lateral sewers and drains, and to assess the expense of sewers upon the property benefited, as hereinafter provided in this act: *Provided*, That when any sewer crosses a street the city shall pay and be assessed for its proportion of the expense, and shall thereupon have the right to connect with such sewer for the purpose of draining the street. It may also direct and regulate the construction of cellars, slips, barns, private drains, sinks and privies; to compel the owner or occupant to fill up, drain, cleanse, alter, relay or repair the same, or to cause the same to be done by the superintendent of public works, and to assess the expense thereof on the lot or premises on which the same is situated, which assessment shall be collected in the same manner as other special assessments. Sewers. Proviso.

SEC. 45. The common council shall have power to assess, re-assess, levy, and collect taxes, for the purpose of the corporation, upon all property within the city limits, made taxable by law for state purposes, and such taxes shall be a lien on the property taxed until paid. The said taxes shall be levied and collected in the same manner as township taxes, and all laws in relation to township taxes not inconsistent with this act, shall apply to said city taxes, and the property taxed may be returned to the county treasurer, and sold for the non-payment of said tax, in the same manner, and with like effect, as in townships under the general state laws, to appropriate money to provide for the payment of the debt and expenses of the city, and to enact all ordinances necessary to carry into effect the powers conferred upon the city. Taxes.

and using water from said works. Said rates shall be based as near as may be upon the water consumed and used by the owner or occupant of each house, building or lot using water. Such water rates shall be a continuing lien until paid, upon the lots, real estate and premises on which the water is used and the rates assessed.

Payment of
water rates.

SEC. 8. The owner or occupants of the lot or premises against which such water rates shall be assessed shall pay the same at the office of said board in advance, on the first days of January and July in each year, and in case of any default in such payment, and within thirty days from the day the same shall become due and payable, the said board may collect the same by a suit at law before any court of competent jurisdiction, together with the costs and expenses of said suit and may shut off the water until the same is paid, said suit to be brought in the name of the city of Port Huron: *Provided*, That any attempt to collect said rates by any process above mentioned shall not invalidate the lien upon said lot or premises.

Proviso.

Redemption of
real estate.

SEC. 11. Real estate so sold shall be subject to redemption in the same period and manner as real estate sold for special taxes, and if not redeemed, conveyance may be executed with the same force and effect and subject to all the provisions of this act relating to sales and conveyances for special taxes as aforesaid.

Water rates to
be paid by board
into city treasury.

SEC. 12. It shall be the duty of said board to monthly pay into the city treasury, to the credit of the water fund, all moneys received by it for water rates, or from any other source, and to file a detailed statement thereof with the city controller, and the said board shall make such reports and furnish such information to the common council as that body shall, by resolution or ordinance, prescribe.

Further powers
of board of water
commissioners.

SEC. 14. The board shall have power to extend their distributing pipes, aqueducts, and mains, and erect hydrants without the limits of said city, and to regulate, protect, and control such portions of their works and the water supply therefrom in the same manner that they may regulate, protect, and control their works and water supply within the [said] city. The board of water commissioners are also hereby authorized to enter into and make arrangements with any person or parties who may put down mains, pipes, and hydrants for supplying such mains, pipes, and hydrants with water from the works, mains, and pipes under their control, at such rates and prices and upon such terms and conditions as may be mutually agreed upon subject to the approval of the common council: *Provided*, That all such distributing pipes through which any water shall be supplied by said water board shall be subject to the rules, regulations, and control of the board and form part of its system of distributing pipes. They shall also have such other and further powers and rights not herein granted as are given to water boards by the general laws of the State and as are not inconsistent with the powers and rights herein granted.

Proviso.

Penalty for in-
jury to water-
works.

SEC. 15. If any person shall willfully do or cause to be done any act whereby any work, materials, or property whatsoever erected or used within or without the city of Port Huron, by the commis-

sioners or by any person acting under their authority, for the purpose of procuring or keeping any supply of water, shall be injured or shall willfully throw or place or cause to be thrown or placed any carcass of any dead animal or person, or any other deleterious or filthy substance whatever, in any reservoir, pipe, or aqueduct of said water-works through which water for public or private use is conveyed, or shall throw or place or cause to be thrown or placed any such carcass, deleterious or filthy substance into the St. Clair river or Lake Huron, within a distance of six miles above any inlet pipe extending into said river and through which said supply of water or any part thereof is received, or do or cause to be done any other act to willfully pollute said water, he shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or imprisonment in the county jail or in the Detroit house of correction for a period not exceeding three months, or both, at the discretion of the court before which the case is tried. The commissioners may erect notices of so much of this section as relates to reservoirs and the St. Clair river and Lake Huron, at conspicuous points on such reservoirs and along the American shore of said river and lake, within the distance above mentioned, and for this purpose they or their agents shall have the right to enter upon private property.

Notice to be erected.

SEC. 16. If any person shall without the authority of the commissioners or their proper agents perforate, or bore, or cause to be perforated, or bored, any distributing pipe, main, or aqueduct, belonging to said water-works, or cause to be made any connection or communication with said pipes, aqueduct [aqueducts] or logs, or meddle with or move the same, or any machinery, apparatus, or fixture of the board, or turn on the water when the same shall be shut off by order or rules and regulations of the board of water commissioners, or take down or deface any of the notices provided for in the last section, or cause the same to be done, the person so offending shall, on conviction, be punished by a fine not exceeding one hundred dollars, or imprisonment in the county jail or in the Detroit house of correction, until such fine be paid, not exceeding three months. Any person who shall willfully break or cut an inlet pipe, main distributing pipe, log, or aqueduct, used by the commissioners for conducting said water, or shall dig into or break up any reservoir, filled, or partially filled, with water, or shall break or injure any pumping engine, or any part thereof, or any of the machinery connected therewith belonging to said water-works, or cause any of said acts to be done, shall be deemed guilty of a felony, and, upon conviction thereof, shall be punished by imprisonment in the state prison not more than five years, or by a fine not exceeding one thousand dollars, and imprisonment in the county jail or the house of correction of the city of Detroit not more than one year.

Penalty for tapping water-pipes.

Penalty for breaking pipes.

SEC. 9. That sections one, two, three, four and six of chapter eight of said act be amended so as to read as follows:

Sections amended.

SECTION 1. The board of estimates of said city shall consist of three members from each ward, who shall serve for three years each, except as hereafter provided, and of three members at large, who

Board of estimates.

shall be elected upon the general ticket, at the same time and for the same term as the mayor. The several provisions of this act relating to the election of the mayor and aldermen, shall be applicable, apply to, and regulate the election of the member [members] of said board of estimates.

Qualification of members.

SEC. 2. All members of said board shall be electors and taxpayers of said city. All members of said board shall, before entering upon the discharge of their duties, take and subscribe and file in the office of the city clerk the oath of office prescribed by this act. No member of said board shall receive any compensation for his services. The controller, chairman of the committee on ways and means of the council, and the chairman of the committee on finance of the board of education shall be *ex officio* members of the board of estimates, but shall not have the right to vote.

Annual meeting of board of estimates.

SEC. 3. A meeting of said board shall be hold annually on the fourth Monday of May, at ten o'clock in the forenoon, at the common council chamber, and at such other time as the common council may, by ordinance or resolution, prescribe. Said board shall elect one of its members president thereof, who shall preside at all meetings of the board and shall hold his office until the next election of new members, and if he is absent or incapacitated from performing his duties, the board may elect a president *pro tempore*. The city clerk shall be secretary of said board, and shall keep a record of its proceedings, and if he is absent or incapacitated from performing his duties, the board may appoint a secretary *pro tempore*. The board may adjourn from time to time, but the meeting which shall be held in each year to consider the estimates for the general annual taxes for city purposes shall not be adjourned to a time subsequent to the fifteenth day of June.

Estimates of council and board of education to be approved by board of estimates.

SEC. 4. Before any money shall be raised or taxes levied and collected, for the purposes of the several funds mentioned in this act, except in interest and sinking funds, the estimates of the common council and of the board of education, of the amount of moneys required for such funds or purposes, shall be submitted to said board of estimates for approval, and before any bonds or other evidence of indebtedness shall be issued by the city, or any board thereof, said issue shall be authorized by said board of estimates. The estimates for the general city taxes shall be acted upon by the common council as provided by this act, and shall be submitted to the board of estimates on the fourth Monday in May, to be considered by the board and reported back to the common council on or before the fifteenth day of June. Said board shall carefully consider all estimates hereby required by this act to be submitted to it of moneys to be raised as aforesaid, and shall approve or disapprove of the same. It may decrease the amount to be raised, but shall not increase the same, and may authorize, subject to the provisions of this act, the issue of bonds by said city or the boards thereof. A majority of all the members elect of said board shall be required to approve of any such estimates for the raising of taxes, or any part thereof, or to authorize the issue of any bond.

SEC. 6. The common council of said city, upon the approval of

such estimates or any part thereof by said board shall cause to be levied by the controller, and collected by tax, the amount thereof so approved, and may issue any bonds so authorized to be issued by said board as aforesaid. The board of estimates shall have the right to call upon the common council, or upon any officers or boards of the city, for further reports or for any information which it may require for the purpose of estimating any amount to be raised, or in reference to any other matter pending before said board. It shall also have the right to inspect the official books and papers of said officers or boards.

Council to cause amounts approved to be levied.

Board of estimates may demand reports.

SEC. 10. That sections three, four, and five of chapter nine of said act be amended so as to read as follows:

Sections amended.

SEC. 3. The council shall appoint five trustees, who shall be taxpayers and electors in the city, and who shall constitute the board of trustees of cemeteries; any three of them shall constitute a quorum for the transaction of business. The trustees shall hold their office for the term of five years, from the first Monday in May of the year when appointed, and annually thereafter said council shall appoint one trustee, who shall hold for the term of five years. The council may remove any trustee so appointed for inattention to his duties required of him, or other good cause. Said board shall serve without compensation.

Board of trustees of cemeteries.

SEC. 4. Said board shall appoint one of their number chairman, and the city clerk shall be clerk of the board, and the council shall by ordinance, invest the board with such power and authority as may be necessary for the care, management and preservation of such cemetery grounds, the tombs and monuments therein, and the appurtenances thereof.

Officers of board.

SEC. 5. Said board, subject to the directions and ordinances of the council, shall have the care and management of any such cemetery or burial place or places, and shall direct the improvements and embellishments of the grounds, cause such grounds to be laid out into lots, avenues and walks, the lots to be numbered, and the avenues and walks to be named, and plats thereof to be made and recorded in the office of the city clerk. The board shall fix the price of lots and make the sale thereof. The conveyance of such lots shall be executed in behalf of the city by the city clerk, and be recorded in his office without expense to the purchaser.

Duties of board.

SEC. 11. That sections four, five, six and thirteen of chapter ten of said act be and the same are hereby repealed, and sections one, two, three, seven, eleven, twelve, sixteen, eighteen, twenty-one, twenty-three, thirty-two, thirty-three, thirty-six, thirty-seven, thirty-eight, forty-two, forty-three, forty-four, forty-five, forty-six and forty-nine of said chapter ten of said act be amended so as to read as follows:

Sections amended and repealed.

SECTION 1. The legislative power of the city is vested in a common council, to be composed of the aldermen of said city, and in a board of estimates as heretofore constituted.

Legislative powers of city.

SEC. 2. Each ward shall be entitled to two aldermen, who shall be taxpayers of said city, and residents of the ward for which elected, who shall be elected by the electors of their respective

Aldermen.

Wards.	wards, and who shall hold office for two years. Each ward shall consist of convenient and contiguous territory, and they shall contain as nearly as may be, an equal number of inhabitants. The common council shall have power to divide the city into wards, and to increase the number and define the bounds and limits thereof, but no ward containing less than one thousand five hundred inhabitants, shall hereafter be organized by the common council. The aldermen of the city shall constitute the common council thereof.
Common council.	A majority of all the aldermen elected shall be a quorum for the transaction of business, but a smaller number may adjourn from day to day; and upon a call of the common council by any member thereof, if supported by a majority of the members present, whether a quorum or not, the mayor or president shall have power to send any member of the police force of the city, to bring the absent aldermen forthwith before said common council.
Quorum.	
Mayor to be president ex officio.	SEC. 3. The mayor shall be <i>ex officio</i> president of the common council and shall have a vote only in case of a tie, when his vote shall determine the pending question. The common council shall hold regular sessions at such times and places as they shall by ordinance or resolution direct, and may adjourn regular sessions from time to time as may be deemed expedient.
Sessions.	
President of council.	SEC. 7. The common council, at the first regular meeting after the newly elected aldermen or a majority thereof shall have entered into their offices, shall elect by ballot one of their number president, who shall serve for one year, unless he shall cease to be a member thereof; and he shall have the powers and duties prescribed by this act. Vacancies in the office of president may be filled by the common council in the same manner, and in case both the mayor and the president shall be absent at any meeting of the common council, a president <i>pro tempore</i> for that session may be elected, by ballot or otherwise.
President pro tem.	
Ordinances, etc., to be presented to mayor.	SEC. 11. Every ordinance, resolution, or proceeding of the common council originating the expenditure or disposal of money or property, or whereby the corporation or any officer or board of officers, under this act may incur any debt or liability, and every ordinance and resolution, except for the payment of debts and liabilities previously and lawfully contracted, shall, before it takes effect, be presented by the clerk to the mayor. If the mayor approve thereof he shall thereon write his approval with the date thereof and sign the same, and thereupon such ordinance, resolution or proceeding shall go into effect, and such as he shall not so approve and sign he shall return to the common council at its next regular meeting, together with his objections thereto in writing.
Approval.	
Veto.	
Proceedings in case of non-approval.	SEC. 12. If the mayor shall not approve any such ordinance, resolution, or proceeding he shall return the same to the common council at its next regular meeting after the same shall have been presented to him by the clerk, together with his objections thereto as above provided. The common council shall proceed at the same session to reconsider the vote by which the same was passed and adopted, and if, after such reconsideration, and at the same or next succeeding regular meeting two-thirds of all the members

elect shall agree by ayes and noes, which shall be entered of record, to pass or adopt the same, it shall go into effect.

SEC. 16. Such proceedings of the common council, as they shall direct, shall be published in one newspaper printed and published in said city, after contract shall have been entered into with such newspaper as provided in section twenty of chapter thirteen of this act, and said newspaper shall be known as the official paper of the city. All ordinances shall be published for three successive weeks in the official newspaper of said city, and shall take effect at the expiration of said publication: *Provided, however,* That the common council may fix and prescribe therein a different period, and that no ordinance shall take effect before at least one publication thereof. Proof, by affidavit, of the due publication of such ordinances shall be filed in the office of the city clerk.

Publication of council proceedings.

Publication of ordinances.

SEC. 18. No resolution, ordinance or proceeding of the common council imposing taxes or assessments, or requiring the payment, expenditure or disposal of money or property, or creating a debt or liability therefor, and no other ordinance shall be passed at the same meeting at which it was introduced, unless by unanimous consent of the aldermen present; but no ordinance or resolution shall be passed except by a majority of all the aldermen elect, except in case of a tie, as herein provided, and every such ordinance, resolution or proceeding shall be passed by yeas and nays, to be entered on the record; and upon the demand of one fourth of the members present, the yeas and nays shall be taken on any question and entered on the record.

Passage of ordinances, etc.

SEC. 21. The common council shall have power to provide for the erection of one or more bridges across the Black river in said city, and to erect, repair and regulate public wharves and docks at the end [ends] of streets, and may advertise for proposals and lease to the highest bidder, such wharves and wharfing privileges, upon such terms and conditions, and may reject any and all proposals to lease, and under such covenants as the common council may direct, but no building shall be erected thereon without the consent of the council. No lease thereof shall be executed for a longer period than five years, and such lease may be cancelled by the common council and possession taken of such wharves and wharfing privileges upon breach of any of the conditions of the lease.

Power of council as to bridges.

SEC. 23. The common council shall have power to erect, lease, maintain and repair a city hall, and such other buildings and offices as may be necessary for the use of the corporation or its officers; and it may establish and maintain market places, and may lease market booths and stands, and control and regulate the same; and may prohibit, prevent and punish forestalling and regrating.

City buildings.

Markets, etc.

SEC. 32. The common council may prevent and regulate the ringing of bells and the blowing of steam whistles, and may provide for the prohibition and prevention of any riot, rout, or disorderly noise, disturbance, or assemblage, or the crying of any goods, chattels, or wares in the streets or elsewhere in said city, or the exhibition of fireworks and the firing of guns or cannon, or any firearms dangerous to life or property. It may also prohibit

Bells, steam whistles, etc.

and prevent racing or fast and dangerous driving or riding, and may prohibit and prevent the flying of kites and all practices, amusements, and doings having a tendency to frighten teams and horses, and to regulate the speed of cars and engines on railroads within the limits of said city.

Bathing in streams, etc.

SEC. 33. The common council shall have power to prohibit or regulate bathing and swimming in St. Clair and Black rivers and Indian creek, determine the time and places thereof, and prohibit and prevent any obscene or indecent exhibition; exposure, or conduct thereat; and may also license and regulate public bath-houses or bath-rooms on land, and floating bath-houses, bath-rooms, or vessels on [the] St. Clair or Black rivers.

Compensation of officers.

SEC. 36. The common council shall have power to fix and regulate the compensation of all officers elected or appointed under or by virtue of this act, except where express provision is made herein, but the compensation of any officer fixed by any annual or periodical salary shall not be diminished or increased during his term of office. It may also authorize and regulate the demand and receipt by officers of such fees and costs, and in such cases as the council may deem reasonable, and may provide for and regulate the appointment of all officers, employés, and subordinates, and for their removal from office, and for the filling of vacancies, subject to the provisions of this act.

Punishment for violation of ordinances.

SEC. 37. The common council shall have power to determine the punishment of all persons convicted of any violation of the ordinances of said city, by imprisonment at hard labor or otherwise, and to impose fines, imprisonment, penalties, and forfeitures: *Provided*, That in no case shall the term of imprisonment be more than three months, or the fine, penalty or forfeiture more than one hundred dollars. The common council may require convicted persons to give bail for good behavior. Imprisonment for the non-payment of any fine or penalty shall not exceed three months. They shall also have power to employ all persons confined for the non-payment of any fine, penalty for forfeiture, costs or for any offense under this act, or any ordinance of the common council, in the jail of St. Clair county, or any jail, workhouse, or house of correction of said city, at work or labor, either within or without the same, or upon the streets or other public works of said city, under the control of the common council; to allow any person thus confined for the non-payment of any fine, penalty, or forfeiture, or costs, to pay and discharge the same by such work or labor, and to fix the value and rate [rates] of said [such] work and labor, and also to provide sufficient and necessary means for the protection of said [such] prisoners, while they are at such work, under the supervision or authority of the common council.

Proviso.

Limit of imprisonment.

Ferries.

SEC. 38. The common council may license, continue, control, and regulate as many ferries from within said city to the opposite shore of the St. Clair river, for carrying and transporting persons and property across said river, in such manner as shall be most conducive to the public good, but no ferry franchise shall be granted for a longer term than five years, and on such terms and

conditions as shall be fixed by the common council. Such ferry franchise shall be leased by sealed proposals to the highest bidder.

SEC. 42. The common council may authorize the city clerk to Licenses. grant, issue and revoke licenses, and to direct the manner of issuing and registering the same, and the method [methods] of paying the money charged therefor into the city treasury. No license shall be granted for more than one year, and the person to whom any license is granted shall, if required, before receiving the same, execute a bond to the city in such sum as the council may prescribe, with one or more sufficient sureties conditioned for the faithful observance of the city charter and ordinances, and otherwise conditioned as the council may prescribe. The officer issuing a license may inquire into the sufficiency of the sureties in said bond, by an examination under oath, as to their property and responsibility, which oath may be administered by the person making such examination. The depositions of sureties shall be reduced to writing, be signed by them and annexed to and filed with the bond to which it relates, in the office of the city controller.

SEC. 43. The common council shall have power by a two-third Taxes illegally assessed. [two-thirds] vote, to refund taxes and assessments that have been illegally assessed or collected, and may vacate any such tax or assessment, and fix upon an amount to be received in lieu thereof, but no such action on the part of the common council shall in any way affect or invalidate any other tax or assessment assessed, levied or collected in said city.

SEC. 44. The common council shall have power to direct, and Sewers. regulate the construction, repair and cleansing of public and lateral sewers and drains, and to assess the expense of sewers upon the property benefited, as hereinafter provided in this act: *Provided,* Proviso. That when any sewer crosses a street the city shall pay and be assessed for its proportion of the expense, and shall thereupon have the right to connect with such sewer for the purpose of draining the street. It may also direct and regulate the construction of cellars, slips, barns, private drains, sinks and privies; to compel the owner or occupant to fill up, drain, cleanse, alter, relay or repair the same, or to cause the same to be done by the superintendent of public works, and to assess the expense thereof on the lot or premises on which the same is situated, which assessment shall be collected in the same manner as other special assessments.

SEC. 45. The common council shall have power to assess, re- Taxes. assess, levy, and collect taxes, for the purpose of the corporation, upon all property within the city limits, made taxable by law for state purposes, and such taxes shall be a lien on the property taxed until paid. The said taxes shall be levied and collected in the same manner as township taxes, and all laws in relation to township taxes not inconsistent with this act, shall apply to said city taxes, and the property taxed may be returned to the county treasurer, and sold for the non-payment of said tax, in the same manner, and with like effect, as in townships under the general state laws, to appropriate money to provide for the payment of the debt and expenses of the city, and to enact all ordinances necessary to carry into effect the powers conferred upon the city.

Buildings,
fences, etc., lia-
ble to fall.

SEC. 46. Whenever, in the opinion of the common council, any building, fence, or other erection of any kind, or any part thereof, is liable to fall down, and persons or property may thereby be endangered; or when any building shall by neglect of the owners thereof become dilapidated and untenable, and shall have been declared a nuisance, it may order any owner or occupant of the premises on which such building, fence, or other erection stands, to repair the same or take down the same, or any part thereof, within a reasonable time to be fixed by the order, or immediately, as the case may require, or may immediately, in case the order is not complied with, cause the same to be taken down at the expense of the city, on account of the owner of the premises, and assess the expense on the land on which it stood. The order, if not immediate in its terms, may be served on any occupant of the premises, or be published in the city papers, as the common council may direct.

Street railways.

SEC. 49. The common council shall have the sole power to grant to corporations the exclusive right to construct street railways through the streets of said city, and to regulate and control the same: *Provided*, That no such right shall be granted for more than thirty years, and subject to the power of the council at any time to alter and amend the conditions of the grant.

Sections
amended.

SEC. 12. That two new sections be added to said chapter ten of said act to stand as sections fifty-two and fifty-three and to read as follows:

Police system.

SEC. 52. The common council shall have power to establish and regulate an efficient system of police for the good government of said city; to appoint on the recommendation of the mayor or acting mayor, policemen and watchmen who shall possess and exercise the same powers as conservators of the peace, which township constables, under the general laws of this state possess; and to prescribe and regulate their further powers and duties and fix their compensation, and to remove said policemen and watchmen or any of them at any time.

Drainage, etc.

SEC. 53. The common council shall have the power to pass and enact such by laws and ordinances as they from time to time shall deem necessary and proper for the filling, draining, cleansing, cleaning, and regulating any grounds, yards, basins, slips, or cellars within the said city that shall be sunken, damp, foul, incumbered with filth and rubbish, or unwholesome, and for filling or altering and amending all sinks and privies within said city, and for directing the mode of constructing them in future, and to cause all such work as may be necessary for the purpose aforesaid, and for the preservation of the public health and the cleanliness of the city to be executed and done at the expense of the city corporation on account of the persons respectively upon whom the same may be assessed, and for that purpose to cause the expense thereof to be estimated, assessed, and collected, and the lands charged therewith to be sold in case of non-payment in the same manner as is provided by law with respect to other public improvements within said city. And in all cases where the said by-laws or ordinances shall require anything to be done in respect to the property of several persons the expense thereof may be included in one assessment, and

the several houses and lots in respect to which such expenses shall have occurred shall be briefly described in the manner required by law in the assessment roll for general expenses of the city, and the sum of money assessed to each owner or occupant of any such house or lot shall be the amount of money expended in making such improvements upon such premises, together with a ratable proportion of the expenses of assessing and collecting the moneys expended in making such improvements.

SEC. 13. That section twelve of chapter eleven of said act, be and the same is hereby repealed, and sections two, four, five, six, seven, nine, ten, eleven and fourteen of said chapter and act be amended so as to read as follows:

SEC. 2. There shall be elected by the common council at its first regular meeting in May, after the passage of this act or at such time as such meeting shall be adjourned to, in addition to those now in office, a sufficient number of school inspectors to make the whole number, two from each ward, distributed equally, as near as may be. They shall be electors and residents of the wards [ward] from which they are elected, and tax-payers in said city. Their terms of office shall be so arranged that one-fourth of their number shall go out of office each year, and annually thereafter the council shall elect a sufficient number of school inspectors to fill the places of those whose terms [term] of office shall expire. Said inspectors shall hold their office for the term of four years and until their successors are elected and qualified; but in no case shall a school inspector be a member of the common council.

SEC. 4. A majority of all the members of said board shall constitute a quorum, and said board may meet from time to time at the place hereinafter designated. The regular meeting of said board shall be held once in each and every month at such time as shall be designated by the rules and regulations of the board. They may elect any one of their own number president, and in his absence may choose one of their number president *pro tempore*.

SEC. 5. No school inspector shall receive compensation for his services, and any person chosen school inspector who shall neglect or refuse to serve, or remove out of the ward from which he was appointed shall be deemed to have resigned, and the common council shall fill the vacancy caused thereby.

SEC. 6. The said board of education shall make all needful rules and regulations relative to its proceedings. Said board shall also have full power and authority to erect or purchase school-houses, by and with the consent of the board of estimates, to apply for and receive from the proper officers all moneys appropriated for primary schools and libraries in said city, to make by-laws relative to taking the census of all children in said city between the ages of five and twenty years, relative to making all necessary reports and transmitting the same to the proper officers, as designated by law, so that said city may be entitled to its proportion of the primary school fund; relative to visitation of schools; relative to the length of time schools shall be kept, which shall be not less than three months in each year; relative to the examination and employment

Sections repealed
and amended.

School inspect-
ors.

Qualification of
inspectors.

Term of office.

Quorum.

Meeting.

President.

Compensation.

Power and du-
ties of board of
education.

Teachers. of teachers, their powers and duties; but such regular employment of superintendent or teachers shall not be made before the regular June meetings of said board, in each year; relative to the regulations of schools, and the books to be used therein; relative to the appointment of the necessary officers, and prescribe their powers and duties; and relative to anything whatever that may advance the interests of education, the good government and prosperity of public schools in said city, and the welfare of the public concerning the same, not inconsistent with this act. Said board shall also

Tuition. have authority to establish a high school in said city, and to fix the price and rate of tuition to be paid by the scholars therein, their parents or guardians; the mode of enforcing payment thereof, and

Superintendent. the manner of collecting the same; and also to appoint a superintendent of the public schools, under the charge and direction of said board, with such salary and with such powers and duties as shall be prescribed or determined by such board of education.

Estimate of money necessary for schools. SEC. 7. The board of education shall, on or before the first Monday in May, in each year, deliver to the city controller a statement, showing the amount of money necessary to carry on the schools under the charge of the said board, which estimate shall include all the ordinary expenses of running said schools and caring for the school-houses, buildings and other property belonging to the board and interest on money borrowed by the board, and all sums coming due during the ensuing year; the said board of education shall, with the statement aforesaid, deliver to the controller, to be by him submitted to the board of estimates of said city at the same time that the estimate of the common council for other city taxes are submitted to said board of estimates, a statement showing the amount of money required by said board during the ensuing year, for all other purposes than the ordinary expenses of said school, which statement shall show for what the money is to be expended; and in case the board of estimates consent to the raising of the sum so recommended, the controller shall cause so much of the same to be spread upon the tax roll of said city for each year thereafter with the other taxes, as may be ordered by said board of estimates, and the same shall be collected in the same manner as other city taxes. The board of education is hereby authorized to borrow money and issue bonds therefor, in anticipation of the revenues to be derived from sums authorized to be levied, as provided by this act; but no bond or other evidence of indebtedness, issued under the provisions of this section, shall be for a longer period than nine months, or at a greater interest than seven per cent per annum.

Board may borrow money.

Payment of interest on money borrowed. SEC. 9. It shall be the duty of the board of education, whenever they shall borrow any money, under the provisions of this act, annually to appropriate a sufficient sum out of any money which may come into their hands, to pay the interest upon the same.

School taxes. SEC. 10. The common council of said city are hereby authorized once in each year, to assess and levy a tax on all real and personal property of said city, after the same has been authorized by the board of estimates, as aforesaid, according to the city assessment

roll for that year, which shall not exceed four dollars for every child in said city between the ages of five and twenty years, the number of children to be ascertained by the last report on the subject, on file in the office of the clerk of the county of St. Clair, or in the office of the secretary of said board of education, and certified by the president thereof, and the said tax shall be collected in the same manner as the moneys raised to defray the expenses of said city. All such moneys shall be disbursed by authority of said board for the maintenance and support of said schools and for no other purpose.

SEC. 11. The treasurer of said city shall be the treasurer of said board. He shall keep all money belonging to said board separate from the money belonging to the corporation of said city, and he shall not pay out or expend said money except upon warrants of the board. The board of education shall have power by a two-thirds vote of all the inspectors elect to enter into a contract with any bank or banks doing business in the city of Port Huron, to receive on deposit and pay interest on any money in the city treasury belonging to the board, and to receive from any such bank or banks such security, by way of bond for the safe keeping and prompt paying over of such moneys and the interest thereon, on the order of the treasurer, as the board of education may by resolution, adopt [adopted] by a two-thirds vote of all the inspectors elect, demand and approve, and such contract being made and filed with the city controller and the security for the faithful performance thereof being approved by the board and filed with the city controller, and such contract and security entered and recorded at length upon the journal of the board in the proceedings of the meeting, at which the security was approved. The board shall have power by resolution to direct its treasurer to deposit with such bank or banks all money of the board in and thereafter coming into his hands during the time fixed in such contract, and the treasurer and his bondsmen shall not be liable for any loss the board may sustain, or by reason of any defalcation of such bank or banks in any contract for the deposit of the funds of the board made in pursuance of the authority herein given. The board of education shall reserve the right to determine the same and to withdraw such deposits and remit the same to the custody of its treasurer at its pleasure by a two-thirds vote of all the inspectors elect. Money so deposited shall be drawn only on the order of the treasurer, and he shall draw the same only when he is authorized to pay the same, according to the provisions of this charter, or directed by the board to withdraw such deposit in the manner above provided: *Provided*, That before said board shall enter into any contract under this section, the clerk thereof, by publication for two weeks in the official paper of said city, shall advertise for sealed proposals for the keeping of such money and payment of interest thereon, which proposals shall be opened by said clerk at the next regular meeting of said board. All interest received on such contract shall be credited to the interest fund of the board of education.

City treasurer
to be treasurer
of board of edu-
cation.

Board may de-
posit money in
bank.

Right to with-
draw the same
reserved.

Provido.

When office of
school inspector
to be deemed
vacant.

SEC. 14. The office of school inspector shall be deemed vacant in case of the death or removal from the ward of the inspector elected, and in case of refusal or neglect to attend as such inspector for three regular meetings in succession, unless such neglect to attend is excused to the satisfaction of the board.

Sections repealed
and amended.

SEC. 14. That sections nine and ten of chapter twelve of said act be and the same are hereby repealed, and sections one, two, five, seven and eight of said chapter twelve, be amended so as to read as follows:

Board of health.

SEC. 1. The common council of said city shall appoint a board of health for said city, to consist of two persons and a competent physician to be the health officer thereof.

Powers and
duties of board
of health.

SEC. 2. The said board of health shall have power, and it shall be their duty to take such measures as they shall deem effectual to prevent the entrance of any pestilential or infectious disease into the city; to stop, detain, and examine for that purpose every person coming from any place infected or believed to be infected with such a disease; to establish, maintain, and regulate a pest-house or a hospital at some place within the city, or not exceeding three miles beyond its limits or bounds; to cause any person not being a resident of the city, or if a resident of the city, who is not an inhabitant of this State, who shall be infected with any such disease, to be sent to such pest-house or hospital, if the health physician and two other physicians of the city, including the attending physician of the sick person, if he have one, shall certify that the removal of such person is necessary for the preservation of the public health; to abate all nuisances of every description which are or may be injurious to the public health, in any way and in any manner they may deem expedient, and from time to time do all acts, make all regulations, and recommend to the common council to pass such ordinances as they shall deem necessary or expedient for the preservation of health and the suppression of disease in the city, and to carry into effect and execute the powers hereby granted.

Penalty for
bringing infected
person or prop-
erty into city.

SEC. 5. Any person who shall knowingly bring, or procure, or cause to be brought into the city, any person sick of, or any property of any kind tainted or infected with any malignant fever, or pestilential or infectious disease, shall be guilty of a misdemeanor, punishable by fine, not exceeding one hundred dollars or imprisonment not exceeding ninety days in the county jail or Detroit house of correction, or both, at the discretion of the court.

Inn-keepers,
etc., to report
name of person
sick with infec-
tious disease.

SEC. 7. Every keeper of an inn or boarding house, or lodging house, in the city, who shall have in his or her house at any time any person, traveler, boatman, or sailor, sick with any infectious or pestilential disease, shall report the fact and the name of the person in writing, within six hours after he came to the house, or was taken sick therein, to the mayor, or some officer or member of the board of health. Every physician in the city shall report under his hand to one of the officers above named, the name, residence, and disease, of every patient whom he shall have sick with any infectious or pestilential disease, within six hours after he shall have visited such patient. A violation of either of the provisions

Physician to
report patient
sick with such
disease.

of this section, or any part of either of them, shall be a misdemeanor punishable by fine or imprisonment, or both, the fine not to exceed one hundred dollars, nor the imprisonment three months.

SEC. 8. All fines imposed under the last five sections shall belong to the city, and when collected shall be paid into the city treasury and credited to the general fund. Fines to be paid into city treasury.

SEC. 15. That sections one, three, four, five, six, seven, eight, ten, eleven, twelve, sixteen, nineteen, twenty, twenty-two, twenty-four and twenty-eight of chapter thirteen of said act be amended so as to read as follows: Sections amended.

SECTION 1. The revenues and money of the corporation shall be divided into the following funds, viz.: City revenues to be divided into funds.

First, General fund,—to defray the expenses of the city of Port Huron for the payment of which out of some other fund no provision is herein made; General.

Second, Contingent fund,—to defray the contingent expenses of said city; Contingent.

Third, Interest fund,—to pay the interest on the funded debt of said city; Interest.

Fourth, Sinking fund,—to pay the funded debt of said city; Sinking.

Fifth, Police fund,—to defray the expenses of the police force of said city, including the erection of station houses and other buildings for the force; Police.

Sixth, Water fund,—to defray the expenses of constructing, repairing, and maintaining the water works of said city; Water.

Seventh, Fire department fund,—to defray the expenses of maintaining the fire department of said city, including the maintenance and repairs of public hydrants, and the erection of engine houses and other buildings for the use of said department; Fire department.

Eighth, Educational fund,—to defray the expenses of maintaining the public schools in said city, and of repairing school buildings; Educational.

Ninth, Sewer fund,—to defray the expenses of constructing sewers; Sewer.

Tenth, General sewer fund,—to defray the expenses of repairing and maintaining the sewers of said city; General sewer.

Eleventh, Street opening fund,—to defray the expenses only of opening, widening, altering, and vacating streets, highways, and alleys in said city; and not for working or grading streets; Street opening.

Twelfth, General road fund,—to defray the expenses of repairing paved streets, and of grading, paving, and improving street intersections, and the highways, streets, alleys of said city, in front of or adjacent to the property of the corporation; General road.

Thirteenth, District road fund,—for each ward of the city, to defray the expenses of grading, working, repairing, cleaning, and improving the highways, streets, and alleys in the several wards in said city; and of the building of cross-walks and culverts; District road.

Fourteenth, Public building fund,—for purchasing real estate for the erection thereon of any public buildings, and to defray the expenses of erecting, repairing, and maintaining such public buildings as the common council is authorized to erect, and as are not otherwise provided for; Public building.

- Bridge. *Fifteenth*, Bridge fund,—to defray the expenses of erecting, repairing, and maintaining the bridges in said city;
- Park. *Sixteenth*, A park fund,—to defray the expenses of beautifying and caring for the public parks of said city;
- Special. *Seventeenth*, Such other funds as the common council may constitute for special purposes, not inconsistent with nor to be taken from any of the funds above constituted or raised.
- Council to raise money by tax for several funds. SEC. 3. The common council shall have power subject to the approval of the board of estimates, to annually levy, assess, and collect taxes on the assessed value of all the real and personal estate in said city, made taxable by the laws of this state, in order to defray the expenses and for the purposes of the several funds mentioned in and authorized by the preceding sections: *Provided*, That the total amount so levied and collected in any one year shall not exceed two per cent of such valuation, except the sinking fund, which shall not exceed one-third of one per cent of such valuation.
- Proviso. SEC. 4. Before any taxes shall be levied as aforesaid for the purposes of the general fund, contingent fund, street opening fund, bridge fund, and sinking fund, the controller shall present to the common council in writing, at such time as the common council may direct, and not later than the third Monday in April of each year, his estimate of the amount of taxes, which in his opinion may be necessary to raise for the ensuing year, for each of said funds, and also an estimate of the entire proposed expenditure for said year, whether the same is to be raised by tax or by loan. A like estimate shall be presented to the controller by the water commissioners, as to the water fund; by the chief engineer of the fire department, as to the fire department fund; by the board of education, as to the educational fund, school building and its library fund; and by the superintendent of public works, as to the sewer fund, general road fund, district road fund, and public building fund, on or before the second Monday in April in each year; and the controller shall submit such estimates to the common council on the third Monday in April, together with such recommendations in regard thereto as he may deem expedient. It shall be the duty of the controller and of said boards and officers to give to the common council any information in their power relative to said estimates or the finances of the city.
- Controller to present estimate to council.
- Aldermen to recommend amounts for highway purposes. SEC. 5. It shall be the duty of the alderman [aldermen] representing each ward in said city, to recommend to the common council the amount necessary to be raised in their wards respectively, for highway purposes, which amount, if approved, the common council shall order to be raised; or in case the alderman [aldermen] from each ward neglect or refuse to make such recommendation, the common council shall order such sum within the limits above specified, as they may deem necessary, and the several amounts so ordered shall, with the approval of the board of estimates, be assessed and collected in the same roll and in the same manner as city taxes. The several amounts so raised and collected shall, by the treasurer, be placed to the credit of the highway fund of the ward in which the same was assessed, and shall be expended for

highway purposes in such ward: *Provided*, That in assessing property in said city for ward purposes, the same, when situated in more than one ward shall be assessed in the ward where the greater portion of such real estate is situate.

SEC. 6. The common council, after revising, altering, and approving said estimates, shall transmit the same as finally adopted by the council to the board of estimates, on or before the fourth Monday in May for its approval, as provided in this act, and all propositions and resolutions for the borrowing of any money on the credit of the city, shall also in like manner be submitted to the board of estimates, and the controller shall cause the amounts ordered by the common council and approved by the board of estimates to be spread upon the tax roll of said city.

Council to transmit estimates to board of estimates.

SEC. 7. The common council shall, with the approval of the board of estimates, also have power to provide money for the water fund, the sewer fund, the school building fund, the public building fund, the general road fund and the bridge fund, by borrowing upon the faith and credit of said city, and upon the best terms that can be made, such sums of money as shall be deemed necessary and expedient, and to issue the bonds of the city therefor, but said bonds shall not be negotiated at less than their par value or bear interest to exceed seven per centum: *Provided*, That the gross debt of the city, not including that hereinbefore contracted, and water, sewer, paving, and bonds for the payment of which special assessments can be made under this act, shall never exceed five per cent of the assessed value of the real and personal property in said city, and that before any bond, excepting water, paving, sewer, and bonds for the payment of which special assessments can be made, shall be issued, at least five per cent of the present indebtedness shall be paid, or a sinking fund provided to pay the same, and any indebtedness issued or created in excess thereof shall be null and void, except as hereinafter provided.

Power of council to raise money for other funds.

Proviso.

SEC. 8. Bonds issued under the preceding section shall be respectively denominated water bonds, sewer bonds, school building bonds, public building bonds, general road bonds, and bridge bonds of the city of Port Huron, and shall be regularly dated and numbered in the order of their issue, shall be for sums not less than one hundred dollars each, and shall be payable in not less than three nor more than thirty years from date; shall be issued under the seal of the corporation, signed by the mayor and clerk, and countersigned by the controller, and redeemable at the pleasure of the common council after three years. The controller shall keep an accurate record of said bonds, and of the class of indebtedness to which they belong, the number, date, and amount of each bond, its rate of interest, when and where the same is payable, and the person to whom it is issued. The proceeds of said bonds shall be paid into the city treasury and be credited to the funds for which the bonds were issued, and be applied exclusively to the purposes for which said funds are constituted by this act.

Bonds, how named.

How dated and numbered.

Controller to keep record.

Proceeds, how to be disposed of.

SEC. 10. It shall be the duty of the common council and board of estimates annually to authorize, levy, assess, and collect on the

Taxes for interest fund.

	assessed value of all real and personal property in said city, made taxable by the laws of the state, taxes for the purposes of the interest fund, not exceeding in amount a sum sufficient to pay the interest accrued or to accrue on the funded debt of the city, for the year for which such taxes are levied, and also taxes for the purposes of the sinking fund, to pay the funded indebtedness of said city and its different boards; also taxes for the purposes of the educational fund of not more than four dollars for every child in the city between the age of five and twenty years inclusive, and the number of children to be ascertained by the last report on that subject which may have been made to the common council by the board of education, as provided in this act.
For sinking fund.	
For educational fund.	
Power of council to borrow money.	SEC. 11. The common council shall not have authority to borrow except as hereinbefore provided, any sums of money whatever, on the credit of the corporation, but may authorize the controller to borrow from time to time on such credit, in anticipation of the revenues of the corporation for the current fiscal year, and not to exceed such revenues in amount, such sums as may be necessary to meet the expenditures under the appropriations for the current fiscal year, for a term not exceeding nine months.
Canceled of paid bonds.	SEC. 12. All bonds and evidences of debt, when refunded, purchased or paid, at the close of each fiscal year, shall be cancelled and destroyed by the treasurer in the presence of the controller, and a special committee of the common council appointed for that purpose. The controller shall record and keep an accurate description of all bonds and evidences of debt thus cancelled and destroyed.
Moneys belonging to funds to be applied thereto.	SEC. 16. The moneys belonging to the several funds of the corporation and all taxes and moneys raised, received, or appropriated for the purposes thereof, shall be applied to the purposes for which said funds are respectively constituted as above, and for which said taxes and moneys are raised, received, or appropriated: <i>Provided, however,</i> That if from any cause there shall be, at the end of any fiscal year, a surplus in any other than the general fund, the interest fund, the general road fund, the district road fund for each ward, the bridge fund, and the water-works fund, and the sinking fund, over and above the actual or estimated cost of any work for which the money of any fund was specially raised, such surplus shall be transferred and credited by the treasurer to the sinking fund at the end of each fiscal year, whenever there shall not be sufficient moneys therein to pay the outstanding funded debt of the city.
Proviso.	
Letting of contracts.	SEC. 19. No contract shall be let or entered into by the common council, or any board or officer, for the construction of any public work in said city not herein otherwise provided for, and no such public work shall be commenced until it shall have been approved by the common council, and a tax or assessment levied to defray the costs and expenses thereof; and no such public work shall be paid for, or contracted to be paid for, except out of the proceeds of the tax or assessment thus levied: <i>Provided,</i> That the common council, under the power hereinafter granted, may provide for the issue of bonds of the city in payment for paving streets, or building
Proviso.	

sewers, and that the contractors for such paving of streets or building sewers may be paid by said bonds in whole or in part, and that said bonds shall be paid out of the proceeds of the assessment for street paving, or building sewers in such manner as the common council shall direct.

SEC. 20. The construction of any public building, sewer, paving, grading, planking, macadamizing, or the construction of any public work whatever, or any work to be done except the ordinary care of streets, water-works, public buildings and other property of said city, or purchasing or furnishing any material or supplies for said corporation, or printing or publishing required by this act or that may be required by the common council of said city, shall be by contract; and no contract shall be let or entered into by the common council or any board of said city except to and with the lowest responsible bidder, with adequate security; and as to such work, supplies or material, requiring mechanical skill, to and with practical mechanics; and as to such other work, supplies or materials, not requiring mechanical skill, to and with such persons as shall be deemed competent for the performance of any such contract, and not until advertised proposals and specifications therefor shall have been published in at least one newspaper published in said city, and for such period as the common council shall prescribe, and no bids shall be accepted from or contract awarded to any person who is in arrears to the corporation upon debt or contract, or who is a defaulter as security or otherwise, upon any obligation to the corporation, or who shall be in any respect disqualified, according to the provisions of this act.

Public improvements, etc., to be under contract.

SEC. 22. The common council shall have power, by a two-thirds vote of all the aldermen elect, to enter into a contract with any bank or banks doing business in the city of Port Huron, to receive on deposit, and pay interest on any money in the city treasury belonging to the city, and to receive from any such bank or banks such security, by way of bond or otherwise, for the safe keeping and prompt paying over of such money, and the interest thereon, on the order of the city treasurer, as the common council may, by resolution adopted by a two-thirds vote of all the aldermen elect, demand and approve; and such contract being made and filed with the controller, and the security for the faithful performance thereof being approved by the common council and filed with the controller, and such contract and security entered and recorded at length upon the journal of the common council in the proceedings of the meeting at which the security was approved, the common council shall have power, by resolution, to direct the city treasurer to deposit with such bank or banks, all money of the city in and thereafter coming into his hands during the time fixed in such contract, and the city treasurer and his bondsmen shall not be liable for any loss the city may sustain from or by reason of any defalcation of such bank or banks. In any contract for the deposit of city funds made in pursuance of the authority herein given, the common council shall reserve the right to terminate the same, and to withdraw such deposits and remit the same to the custody of the city treasurer at

Power of council to deposit moneys in bank.

Right to withdraw deposits to be reserved.

its pleasure, by a two-thirds vote of all the aldermen elect. Money so deposited shall be drawn only on the order of the city treasurer, and he shall draw the same only when he is authorized to pay the same according to the provisions of this charter, or directed by the common council to withdraw such deposits, and all interest collected shall be credited to the interest fund of the city: *Provided*, That before any contract is entered into under this section, the council shall cause notice to be published in the official paper of said city for two weeks, of its intention to let such contract, and asking for sealed proposals for the payment of interest on and the keeping of such money, and the council shall reserve the right to reject any or all bids.

Board of commissioners of sinking fund.

SEC. 24. The mayor, controller, treasurer, and committee on ways and means, and their successors in office, by virtue of their offices, shall be a board of commissioners of the sinking fund. They shall, from time to time, upon the best terms they can make, purchase or pay the outstanding funded debt of said city, or such part thereof as they may be able to purchase or pay, until the same be fully purchased or paid; and all bonds and evidences of debt thus purchased or paid, shall have stamped or written thereon in red ink: These bonds belong to the sinking fund of the city of Port Huron; and said bonds or other indebtedness shall be cancelled so that the same cannot be reissued or sold, and shall be delivered to the treasurer, and shall become and be the property of the commissioners of the sinking fund; and the interest thereon to the end of the fiscal year shall be credited and belong to the sinking fund, and at the end of the fiscal year said bonds shall be destroyed; and whenever they cannot arrange for purchasing or paying the said debt or any part thereof, they shall, temporarily, and until they can so arrange, invest the moneys belonging to said sinking fund in such securities, paying interest, as they may deem safe and advisable. Said commissioners shall from time to time and whenever requested by the common council, make report of their doings, which report shall be made to the common council, referred to and filed with the controller and recorded by him in some proper book to be provided for that purpose.

Penalty for appropriation of corporate property.

SEC. 28. If any officer of the corporation shall directly or indirectly appropriate or convert any of the moneys, securities, evidences of value, or any property whatsoever belonging to the corporation, or any board thereof, to his own use, or shall directly or indirectly, and knowingly appropriate or convert the same to any other purpose than that for which such moneys, securities, evidences of value, or property may have been appropriated, raised or received, or to any purpose not authorized by law, he shall be deemed guilty of willful and corrupt malfeasance in office, and may be prosecuted, tried and convicted thereof, and on conviction may be punished by a fine not exceeding one thousand dollars or imprisoned in the state prison, jail of St. Clair county, or the Detroit house of correction, not exceeding three years, or both, in the discretion of the court.

Sections repealed and amended.

SEC. 16. That sections eleven, twelve, thirteen, fifteen, sixteen, twenty, twenty-one, twenty-two and twenty-three of chapter four-

teen of said act, be and the same are hereby repealed, and sections one, four, five, seven, eight, nine, ten, seventeen, nineteen and twenty-four of said chapter fourteen, be amended so as to read as follows:

SEC. 1. The controller and the supervisor of each ward, between the first day of January and the first day of April in each year, shall assess, at its cash value, all the real and personal property subject to taxation by the laws of this state, within the limits of each ward respectively of said city; and the controller shall make out and complete the assessment rolls, one for each ward, in books to be provided for that purpose by the common council, and to deliver such rolls when so completed, to the board of review, on or before the third Monday in April in each year. When assess-
ment to be made.

SEC. 4. The board of review shall consist of the city controller and the supervisors of the several wards, and shall meet at the controller's office in said city on the third Monday of April in each year, and continue in session from day to day until all of said assessments [assessment] rolls shall have been fully and carefully reviewed, corrected, and approved, which shall be on or before the fourth Monday in April. Board of review. The board shall have power, and it shall Meeting of
board. be its duty, to amend and correct any assessment or valuation, and to place upon the assessment roll of the proper ward any taxable property, real or personal, not already assessed, held or owned by any person or persons, and to strike from said roll any property, real or personal, wrongfully thereon. Any person considering himself aggrieved by reason of any assessment, may complain thereof, either verbally or in writing, before said board, and on sufficient cause being shown by the affidavit of such person, or oral proof, or by other evidence to the satisfaction of such board, it shall review the assessment complained of, and may alter or correct the same as to the person charged thereby, the property described therein, and the estimated value thereof: *Provided*, That said board shall not Powers of board. increase any assessment of property. Proviso. The concurrence of a majority of the board shall be sufficient to decide any question of altering or correcting any assessment complained of. The board, or a majority of them, having completed the review and correction of said assessment rolls, shall sign and return the same to the common council at a meeting of said council to be held on the evening of the second Monday in May.

SEC. 5. The controller shall cause a notice to the taxpayers of said city to be published in the official newspaper of the city, and in one other newspaper published in said city, for two weeks prior to the time of any meeting of the said board of review, stating the time and place of the meeting of said board, and the object for which it will meet; which notice shall be continued on each publication day of said paper during the session of said board. Notice of meet-
ing of board.

SEC. 7. The common council shall hear and determine all appeals in a summary manner and correct any errors which it may discover in the assessment rolls and place thereon the names of any persons and the description of any property not already assessed, and assess the same: *Provided*, That they shall not Hearing of
appeals to coun-
cil. increase any assessment of property. Proviso.

Council to con-
sider assessment
rolls.

Controller to
bring rolls before
board of super-
visors.

Warrant.

Treasurer to
receive taxes
until January.

Collectors to
collect taxes
after first day of
January.

Collectors to pay
sums to treas-
urer.

To make a list of
delinquent taxes.

Unpaid taxes to
be a lien on real
estate.

SEC. 8. The common council may continue the consideration of said assessment rolls and the hearing of said appeals from session to session, for a period not exceeding one week after the time when they are to be first considered as above provided, and on or before the expiration of said period of one week they shall be fully and finally confirmed by the common council. When said assessment roll shall have been confirmed by the common council, as provided for in this section, it shall be the duty of the controller to make a copy of the same as confirmed, to be certified to by him, and keep the same in his office until the meeting of the board of supervisors of St. Clair county, and have the said rolls then and there, which rolls, after equalization by the board of supervisors of St. Clair county, are hereby declared to be the assessment rolls for all purposes whatever, and the controller shall extend upon the same all State and county taxes certified to him by the board of supervisors; also all taxes authorized to be raised for city, school and highway purposes in said city, at the same time and in the same manner as township supervisors are or may be by law required to do, and shall annex thereto a warrant directed to the ward collectors of said city, respectively signed by him, and in all other respects the same, as near as may be, as is or may be by law required in warrants of township treasurers, for the collection of State, county and township taxes. The controller shall then cause the rolls to be delivered to the city treasurer, who shall give a receipt therefor, and be charged therewith. The treasurer shall receive all taxes on said roll, without charging any percentage thereon, until the first day of January, in each year. After the [said] first day of January the said treasurer shall note on said rolls all payments that have been made for taxes, and shall deliver the rolls to the collectors of the wards of said city respectively, and take their receipts therefor. Said ward collectors shall collect said taxes charged in said rolls, together with their fees, which shall be the same as allowed by law to town treasurers, in the manner provided by law, and for such purpose they shall have the same power and authority as is now given by law to town treasurers. The collectors shall, within ten days after the expiration of their warrant, or, in case of extension of time for collecting such taxes, within ten days after such time has expired, pay over to the treasurer of said city all sums charged in said roll for city, school and highway purposes, and shall make a full return of all taxes collected by them and of all descriptions of real estate delinquent for taxes, in the same manner as township treasurers are now or may be by law required to make returns to the county treasurer, which return shall be made under oath and filed with the county treasurer, and a copy thereof filed with the controller. The taxes assessed on said rolls shall be a charge against the person owning the same on the second Monday of May, and shall be a lien on said estate from the first Monday in December of the year in which such tax was assessed, and all provisions of law respecting the collection of taxes and the return and sale of property for non-payment of taxes for state, county and township purposes, and the redemption thereof, and the conveyance of land

therefor shall apply to such taxes. The said ward collectors shall, before entering upon the duties of their office, give such bonds as are required by the law of this state of town treasurers; also such bonds, in such amount and with such sureties as may be required by the common council and the board of education of said city.

Collectors to give bonds.

SEC. 9. The common council of said city is hereby authorized and required to perform the same duties in and for said city as are by law imposed upon the township boards of the several townships in this state in reference to school taxes, county and state taxes, the support of the poor, and state, district and county elections, and the supervisors, justices of the peace, clerk and all other officers of said city who are required to perform the duties of township officers of this state, shall take the oath, give the bonds, perform like duties and receive the same pay and in the same manner, and be subject to the same liabilities as is provided for the corresponding township officers, except as is otherwise provided in this act, or as may be prescribed by ordinance.

Powers of council as to school taxes, etc.

SEC. 10. All state, county, and school taxes in said city, and all city and highway taxes shall be assessed and levied upon the same property, and collected, as near as may be, in the same manner as is provided by law for the assessment and collection of taxes by township officers, and all the proceedings for the return, sale, and redemption of real estate for the non-payment of taxes shall be in conformity with the proceedings for the return, sale, and redemption of real estate by township officers, except as herein otherwise provided.

How taxes to be assessed, etc.

SEC. 17. The controller shall perform such duties in relation to the finances, accounts and other matters of the city, as shall be prescribed by ordinance, and shall, in addition to his other duties, be the assessor of said city, and as such shall have and exercise within the city, all the powers and duties and authority of supervisors of townships, as provided by the laws of this state, except as herein otherwise provided. The controller shall have a seat in, and attend the sessions of the common council, and may discuss all questions and matters that come before the council, but shall have no vote therein. The controller and the supervisors elected in the several wards of said city, shall be members of the board of supervisors of St. Clair county.

Duties of controller.

SEC. 19. It shall be the duty of the common council, on or before the third Monday in May, to determine by resolution, the amount necessary to be raised by tax for city purposes, within said city, for such year; and it is hereby made the duty of the controller of said city, after said tax has been submitted to, and approved of by the board of estimates, to levy the sum so determined upon, and such other taxes as may be required by law, upon the taxable property of said city in the manner specified in this act. No real or personal property, which shall be exempt from taxation by the general laws of this state, shall be assessed for the ordinary city or county taxes; nor shall any public square, park, or other public ground be assessed for any tax or assessment whatever. The common council may be authorized by the board of estimates to raise a tax for any specific purpose.

Council to determine amount of city tax.

Property exempted from city tax.

Tax for specific purpose.

Re-assessment of
delinquent
taxes.

Clerk to furnish
list of such taxes.

Controller to
levy such taxes.

Proviso.

Taxes to be lien
on land.

Notice of
re-assessment to
be given.

SEC. 24. The common council of the corporation created by this act, is hereby authorized and empowered to cause all lands and parcels of lands assessed in the city of Port Huron during the years eighteen hundred and sixty, eighteen hundred and sixty-one, eighteen hundred and sixty-two, eighteen hundred and sixty-three, eighteen hundred and sixty-four, eighteen hundred and sixty-five, eighteen hundred and sixty-six, eighteen hundred and sixty-seven, eighteen hundred and sixty-eight, eighteen hundred and sixty-nine, eighteen hundred and seventy, eighteen hundred and seventy-one, eighteen hundred and seventy-two, eighteen hundred and seventy-three, eighteen hundred and seventy-four, eighteen hundred and seventy-five, and eighteen hundred and seventy-six, and all subsequent years, upon which the tax assessed has not been paid to said city, to be re-assessed for such unpaid taxes, in the following manner: The city clerk, at such times as the common council may by resolution direct, shall furnish to the council a complete list of all lands returned for non-payment of taxes for the years hereinbefore mentioned, and in such report shall state the amount of tax assessed against each description for each of said years, and the city clerk shall compare such list when completed, with the original assessment rolls of such years, and shall attach an affidavit showing such comparison, and that the list is correct, which affidavit shall be sworn to before some notary public; upon the receipt of such report the common council shall cause a copy thereof to be made and certified by the city clerk under the seal of said city, and deliver the same to the city controller; and it shall be the duty of the controller to levy the sums so certified upon the lands mentioned therein, and to spread the same upon the assessment and tax roll of the year in which such assessment is ordered, and in the same manner as near as may be as other taxes: *Provided, however,* That the said controller in spreading such tax upon the roll shall place it separate and distinct from the assessment for the current year, and shall place on separate lines the description of land and amount of taxes, etc., in red ink, originally assessed for each of said years respectively, and in the column of "remarks" shall state the year in which such tax was levied. And such taxes shall be a lien upon such land until paid in accordance with the general laws of the State for collection of taxes. Taxes re-assessed under the provisions of this section shall be put upon the tax rolls and collected at the same time, and in the same manner as other taxes, and all laws applicable to collection of township taxes shall apply to such taxes; and returns for the unpaid tax on any or all such property, and for all taxes, except special taxes for paving or sewers, shall be made in the same manner as is provided by law for returns for unpaid taxes in townships. Whenever the common council shall order such re-assessment, notice shall be given thereof by publishing for two weeks in the official paper of the city the list aforesaid, and if it shall at any time thereafter appear to the satisfaction of the controller that any part of such taxes have been paid, he shall erase the same from the tax roll. All moneys col-

lected under the provisions of this section shall be credited [by the treasurer] to the sinking fund.

SEC. 17. That sections five, ten, sixteen and twenty-one of chapter fifteen of said act, be amended so as to read as follows: Sections amended.

SEC. 5. Said summons shall be served by the marshal or one of the constables of said city at least five days before the return day thereof; if the respondents can be found in said city it shall be served by exhibiting to each of them the original and delivering a copy thereof; but if the respondents, or any of them, cannot be found in said city, it shall be served by leaving a copy thereof at their respective residences with some one of suitable age and discretion; and in case the respondents, or any or them, shall have no place of residence in said city and shall not be found in said city, it shall be served by posting a copy of such summons on the premises and in three public places in said city, and before the return day of said summons a copy thereof shall be published in at least two newspapers for three weeks in said city, on or before the return day of said summons, affidavits showing due service and publication thereof shall be filed in said court. Service of summons.

SEC. 10. If in consequence of jurors being exempt, excused or set aside, there shall not be in the box any ballots or a sufficient number of ballots from which a jury can be drawn, the marshal shall forthwith, under the order of the court, summon such number of persons qualified to serve as the court shall deem necessary, and may order to appear in said court to serve as jurors, and the persons thus summoned shall be bound to attend said court and serve, and be competent to form a jury in the same manner, and to the same effect as those first summoned. Summoning of jurors.

SEC. 16. Motions for new trials or to arrest the proceedings shall be made within two days after the rendition of the verdict, unless further time is allowed by the judge of said court, and if no such motion is made, or, being made, is overruled, the court shall enter an order confirming the verdict of the jury, and such judgment of confirmation, shall be final and conclusive as to all persons interested therein. The damages and compensation assessed by the jury upon any lot or parcel of land shall be a lien thereon from the time of such confirmation until paid and satisfied. Motions for new trial.

SEC. 21. Within one year after the confirmation of the verdict of the jury, or after judgment of confirmation shall on appeal be affirmed, the common council shall cause the city treasurer to pay or tender to the respective parties entitled to receive the same the damages and compensation awarded for the taking of such private property, according to the verdict of the jury, as finally confirmed; and in case any such person shall refuse the same, be unknown or a non-resident of said city, or cannot, with reasonable diligence, be found in said city, or for any reason be incapacitated from receiving his amount, or the right thereto be disputed or doubtful, the common council may deposit the amount awarded in such case in the city treasury, and shall, on demand, pay the same over to any person entitled and competent to receive it. In making such payment or tender or deposit, the common council may use the Damages to be paid within one year.

money in the contingent fund, and said assessments, when collected, shall be paid into that fund, equal to the amount taken therefrom.

Sections repealed
and amended.

SEC. 18. That section eight of chapter sixteen of said act be and the same is hereby repealed, and sections one, two, three, four, five, six, seven, nine, ten, thirteen, fourteen and fifteen of said chapter sixteen be amended so as to read as follows:

Special assess-
ments.

SEC. 1. In the exercise of the power of taxation the common council of said city shall have power to levy and collect special assessments for the following purposes:

First, To defray the expense of paving any street in front of private property;

Second, To defray the expenses of repairing any such street pavement when the number of square yards to be repaired in any given block in one year shall exceed ten per cent of the total number of square yards in such block;

Third, To defray the expense of constructing or repairing any drain or sewer in said city;

Fourth, To defray the expense of paving or improving any alley, or constructing or repairing any sidewalk in said city.

Council to fix
limits of special
assessment dis-
tricts.

SEC. 2. Whenever the common council shall order any such public work or such improvement to be constructed, or any such repairs to be made, the common council shall, except in cases otherwise provided for by this act, by resolution, fix the limits and boundaries of a special assessment district to be composed of the property that will in the opinion of the common council be benefited by such improvement or repairs, and direct the city engineer to make out the proper assessment roll, and stating in such resolution the estimated cost of such improvement or repairs, and upon receiving a certified copy of such resolution from the city clerk, it shall be the duty of the city engineer to make out and return to the common council an assessment roll in which he shall describe the several lots or parcels of private property situated within such district, and shall name the owners and occupants of the same as far as they can be ascertained; and he shall in said roll assess to each lot or parcel of land its proportion of the total cost of such improvement or repairs according to the benefits to be derived from the same: *Provided*, No resolution ordering assessments for paving shall be passed except by a vote of two-thirds of all the aldermen elect, and after the owners of a majority of the property per foot front, the front of which it is proposed to pave, shall have signed a petition for such paving, provided that in assessing for paving, such assessment shall be according to the foot front; and in assessment for lateral sewers shall be according to the number of square feet of land benefited thereby and owned by any one liable to such assessment.

Proviso.

Notice of com-
pletion of special
assessment roll.

SEC. 3. When the assessment roll is thus completed the city engineer, except as otherwise provided, shall give notice by at least two weekly publications in the official newspaper of the city, that such assessment has been completed and will remain in his office two weeks from the first publication of said notice for the inspec-

tion of all concerned, during which time any person interested may file with said engineer, in writing, such objections as they may wish to make to such assessment roll. At the expiration of the said two weeks the city engineer, after any needed revision or correction of said roll, shall annex a certificate thereto of the city attorney that the same has been made out in accordance with the city charter, and shall thereupon report it to the common council with such objections as have been filed thereto. The common council shall re-

Council to review
special roll.

view said roll and consider the objections, and may refer the said roll back to the engineer for further revision or correction, and when satisfied with the same, it shall, by resolution, confirm the same. From and after such confirmation, the assessments in said roll shall constitute a lien, until paid, upon said lots or parcels of land, and a personal charge against the owner or owners thereof.

SEC. 4. After confirmation of any such roll, the city clerk shall deliver the same with a certified copy of the resolution of confirmation annexed thereto, to the city controller, who shall annex thereto a warrant directed to the city treasurer, authorizing and empowering him to collect the taxes in such roll from the persons therein named, and shall cause the same to be delivered to the city treasurer, shall take his receipt therefor, and charge him therewith. Upon the receipt of any such roll, it shall be the duty of the city treasurer to give notice by at least two weekly publications in the official newspaper of the city that said roll has been received by him, and will remain in his office for thirty days from the first publication of said notice, and requiring the owners, occupants, or parties interested in such real estate, within that period, to pay such assessments, and that an addition of one per cent will be made to such assessment at the expiration of said thirty days, and a like addition at the expiration of every thirty days thereafter until such assessments are paid or collected.

Special roll to be
delivered to
controller.

Treasurer to
collect taxes
therein.

Treasurer to give
notice.

SEC. 5. If said assessment, or any part thereof, shall not be paid by the expiration of said period of thirty days, the city treasurer shall, at any time thereafter, give notice by publication in the official newspaper of said city, once a week for four successive weeks, that if said assessments are not paid within thirty days from the first publication of such notice, such real estate will be sold at public auction at a time and place to be specified in said notice, for the lowest term of years for which any person shall offer to take the same in consideration of advancing and paying such assessment, with the additions and the cost of advertising. If default is made in such payment, the city treasurer shall have power to sell such real estate in the same manner and subject to all the provisions of this act relating to the sale of property for special taxes.

Proceedings in
case of non-pay-
ment.

SEC. 6. In the exercise of the police power of said city, the common council shall have power to levy and collect special assessments to defray the expenses of repairing sidewalks and alley pavements, of taking down any building, wall or other structure liable to fall down and endanger persons or property; of filling up, altering, re-laying or repairing of any private cellar, slip, barn, drain, sink or privy, or of abating or removing any nuisance in said city; but

Police powers of
council.

in all such cases the actual expense upon or in front of each lot or parcel of land shall be assessed to such lot, and in all other respects the proceedings shall comply as near as may be with the provisions of this chapter. In case of special assessments, and in all other cases where the common council has power to provide for the levying and assessing of any tax or assessment upon any of the real estate within said city, such tax shall be a lien thereon, from the time of such assessment, and the common council may provide by ordinance that the real estate assessed for such improvements, tax or assessment, be sold and conveyed for payment thereof.

Power of council to issue bonds.

SEC. 7. The common council, in addition to the powers hereinbefore granted, shall have power to issue bonds, as follows: whenever the common council shall have ordered the paving of any street or the building of any sewer in said city, and the assessment for the costs thereof shall have been duly made in accordance with this act, the said common council may issue bonds for an amount not exceeding three-quarters of the cost of paving said street, or building said sewer, as estimated and assessed. Said bonds shall be designated ——— street paving bonds, or sewer bonds, and shall bear the name of the street for paving or sewer for which they are issued, and the fund out of which such bond is payable. One-third thereof shall be payable in one year, one-third in two years and one-third in three years from the date of their issue. They shall bear interest not exceeding seven per cent per annum, and shall be for such sums as the common council shall determine. The bonds made payable in one year shall have attached thereto one interest coupon, and those made payable in two years shall have attached two interest coupons, and those made payable in three years shall have attached three interest coupons. They shall be regularly dated and numbered in order of their issue, and shall be issued under the seal of the corporation, signed by the mayor and countersigned by the controller. The controller shall keep an accurate record of such bonds, the number, date and amount of each, and the person or persons to whom it [is] issued.

How bonds to be designated.

How payable.

Interest.

How dated and numbered.

Record of bonds.

Assessment roll to be made in four parts.

SEC. 9. In all such sewer and paving cases the assessment roll provided for in this chapter shall be made by the engineer in four parts, each part to contain a list of the lots or parcels assessed, with the names of the owner or occupant of each lot or parcel, and one-quarter the cost and expense of the work to be assessed in each part. Such parts of the assessment roll shall be numbered one, two, three and four, respectively, and parts two, three and four shall not be collected until the expiration of one, two and three years respectively from the confirmation of such assessment roll, but interest shall be paid by the owners or occupants of the property assessed upon such parts at the rate of seven per cent per annum, payable annually: *Provided*, Any person may pay any part or the whole of the assessment against any of the property owned by such person previous to the issuing of the bonds as above provided.

Records, how applied.

SEC. 10. The proceeds of each special assessment shall constitute a fund for the specific purpose or improvement for which the

assessment was made: *Provided*, That the proceeds of special assessments for street paving and sewer shall constitute separate funds to be known as the street paving fund and sewer fund, and the bonds so issued shall be paid out of said funds respectively and not out of any other fund. The bonds so paid shall be cancelled and destroyed as prescribed by this act, and the proper entries thereof made in the books kept by the controller.

SEC. 13. All that portion of the City of Port Huron lying on the north side of Black River shall constitute the first great sewer district, and all that portion of said city lying south of Black River shall constitute the second great sewer district. The common council may sub-divide each of said districts into such main sewer districts as may, in their opinion, be deemed just and equitable and define the boundaries and limits thereof; and when any sewer is proposed to be built the common council shall, by resolution, declare whether it is a main or lateral sewer. The expense of constructing any main sewer or part thereof shall be assessed upon the real estate in the sewer district in which it is situated. No property shall be included in more than one assessment district except for lateral sewers, when included in a main sewer district. The expense of building or constructing any lateral sewer shall be assessed upon the real estate drained by such sewer, according to the benefits to the property derived therefrom. The common council shall have power to adopt ordinances relative to the building of sewers, the mode of assessing, levying and collecting by tax such sums as are necessary to pay for such sewers, according to the terms of this act, and all the provisions of this act in reference to re-assessments of special assessments found invalid or set aside, shall apply to sewer assessments. And the common council may provide that the real estate assessed therefor may be sold and conveyed to pay such amount as may be assessed against it.

SEC. 14. In all cases of local improvement [improvements], when the expense thereof is herein or by ordinance made a local tax or assessment, such tax or assessment may be collected from any person whose property is assessed thereon, and the payment thereof be enforced by distress and sale of the goods and chattels, or by suit against the owner of the property or by sale of the land assessed, at any time after the assessment roll thereof is made out and confirmed by the common council, and in case such improvement is not completed to the extent ordered by the common council, or contracted for, the same shall not affect the validity or prevent the collection of the tax upon the premises assessed for the portion completed, but the common council shall, in such cases, refund any money collected for the portion not completed.

SEC. 15. The city shall not be liable for any improvement or for any bonds issued therefor the expense of which is herein or by ordinance made a charge upon the property benefited thereby, or assessed or to be assessed on any district, ward, or other portion less than the whole city, nor upon any contract made in reference thereto. But in case of any error or irregularity in the assessment or collection of such tax, or otherwise affecting the validity or pre-

Sewer districts.

Construction of sewers.

Ordinances relative to sewers.

Expense of local improvements.

When city not liable for improvements.

venting or delaying the collection of such tax, it shall be the duty of the common council to order a re-assessment of such tax, according to law.

New sections added.

SEC. 19. That twelve new sections be added to said chapter sixteen of said act to stand as sections nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine and thirty, to read as follows:

Sewer contracts.

SEC. 19. All contracts for building of sewers shall require the work to be completed on or before the first day of December next ensuing.

Collection of taxes on special assessment roll.

SEC. 20. When any assessment roll for special assessments, as provided for in this chapter shall have been ratified and confirmed by the common council, it shall be the duty of the controller to affix thereto a warrant directed to the city treasurer, authorizing and empowering the collection of the taxes therein set forth, together with a percentage of one per cent per month to be added each and every month in advance after the first month until the same is paid, and commanding him to collect from the persons named in the assessment roll the assessment or taxes therein specified and set forth as due from such persons and for such purpose, if necessary, to levy upon and sell the personal property of such person refusing or neglecting to pay the same, whenever and wherever the same may be found within the limits of said city; and for the purpose of collecting such taxes the city treasurer is hereby vested with all the powers and authority given to township treasurers for the collection of taxes.

Power of treasurer in collection of special assessment.

SEC. 21. By virtue of said warrant the city treasurer shall have power to levy upon the personal property of persons from whom taxes are due wherever and whenever the same may be found within the limits of said city, and shall sell the same in the same manner and with the same duties and powers of proceeding as now or hereafter may be provided by the laws of this state for the collection of taxes by township treasurers or collectors, and all moneys collected by virtue of said rolls shall be held by said treasurer and paid out for the purpose they were raised in the manner provided for in this charter.

Special assessment to be lien on lands.

SEC. 22. Every special tax or assessment lawfully levied or imposed by the authority of the council on any lands or premises in said city, shall be and remain a lien upon such lands or premises from the time of making such assessment or imposing such tax until paid, together with all costs and charges thereon; and the owner of or parties in interest in said real estate shall be liable on demand to pay every such tax or assessment, and if there be a default in paying the same, or any part thereof, or if such person or persons be non-residents of said city and goods and chattels cannot be found out of which to collect such assessment or tax by levy and sale, hereinbefore provided, it shall be lawful for said city treasurer at any time after the expiration of ninety days from the time said roll was placed in his hands for collection, to cause a notice to be published in the official newspaper of said city for four

successive weeks, requiring the owner of or parties interested in such lands or premises to pay such tax or assessment, and that if default be made in making such payment such real estate or premises will be leased at public auction, at a day and place to be specified in said notice, for the lowest number of years at which any person shall offer to take the same in consideration of advancing and paying such assessment or tax, with the costs and charges of such sale.

Notice of payment.

SEC. 23. If the owners or parties in interest in such real estate or premises do not pay such assessment or tax with the costs and charges, within the period above prescribed for the publication of said notice, then the said city treasurer shall have power, without further notice to cause such real estate or premises to be leased at public auction for the lowest term of years at which any person shall offer to take the same in consideration of advancing or paying such assessment or tax, with the costs and charges thereon, and to direct the execution of a proper certificate of such lease to the purchaser thereof; and if such real estate or premises shall not be redeemed within one year after such sale thereof, as hereinafter provided, the controller shall in the name of and for the city of Port Huron, execute and deliver to such person or his assignee a proper lease or conveyance of such real estate or premises for the term for which the same was sold, which lease or conveyance shall, in all courts be *prima facie* evidence of the regularity of all proceedings under which the sale was made, and lease executed up to the date of the lease and of the regularity of the lease; and any person who shall, under such lease, enter into any such real estate or premises, and erect or place any building or building material thereon or otherwise improve the same, shall have the right, at any time within three months after the expiration of said term, or in case the person so holding shall be ousted before the expiration of said term by any person claiming adversely to said lease, then within three months after trial, judgment of ouster or ejectment, to remove such building, building materials or other improvements from said real estate.

Proceedings in case of non-payment.

SEC. 24. When any lands, or premises shall be sold, according to the foregoing provisions for the payment of any assessment or tax as aforesaid if the owner [owners] or parties in interest in the same shall, within one year after such sale deposit with the treasurer of said city for the use of the purchaser the full amount of assessment or tax for which such real estate was sold, and such interest as is hereafter authorized together with the amount of the costs and charges, then the term for which such real estate or premises was sold shall cease and be null and void and be determined at the time of making such deposit, and on presentation of the certificate of sale thereof, shall pay such deposit to the owner of said certificate, taking his receipt for the same, which receipt shall be a voucher to such treasurer for the payment of the same, said receipt to be written across the face of the certificate.

Redemption of lands sold.

SEC. 25. Interest shall be charged at a rate of twenty-five per cent per annum; the interest shall in all cases be computed from

Interest on unpaid taxes.

the day of sale, up to the end of the current quarter of the year limited for such redemption.

Certificates of sale, etc., how issued.

SEC. 26. All certificates of sale or lease and of redemptions, shall be issued in duplicate and countersigned by the controller and charged to the city treasurer in the same manner as provided for charging of taxes.

Conveyances of lands sold, how executed.

SEC. 27. The controller may execute in the name of the corporation, and under its corporate seal, proper conveyances of all lands, tenements or hereditaments, sold for assessments or taxes, which, when duly acknowledged by the controller, may be recorded as other conveyances of lands under the laws of this state.

Duty of controller on sale of real estate for special taxes.

SEC. 28. It shall be the duty of the controller to bid in for the corporation, at any sale of real estate for special assessment, every lot of land or premises for which no person shall offer to bid, and if any person or persons shall neglect or refuse to pay the sum or sums bid by him, within the time and under the regulations prescribed by this act, such bid shall enure to the use and benefit of the corporation. Upon all such bids by the controller, and all bids as aforesaid to the use and benefit of the corporation, conveyances and certificates of sale may be executed to the corporation, acknowledged and attested by the controller, except as otherwise herein provided, and recorded in the same manner as provided in other cases of sale for non-payment of taxes, and the city shall have the same right [rights] as any other purchaser: *Provided, however,* That in case said controller shall bid in for said corporation any land sold by the state of Michigan under the general laws of the state for non-payment of taxes, the certificate therefor and deed shall be executed and acknowledged according to the state laws.

Sale of lands bid in by controller.

Publication of lists of lands to be sold.

SEC. 29. The lands so bid in for the city shall be offered for sale by the controller on the first Monday in May of each year for five years, and lists of the same shall be published in the official paper of the city for three weeks prior to said sale. Such land shall be offered for sale at a minimum bid to be the charge, costs of advertising not exceeding one dollar for each description of land, and interest at ten per cent from the time when such tax accrued. If no one else shall offer to buy the interest of the city at such sale, the same may be sold by the controller at private sale, at any time thereafter for such minimum bids [bid]. At the end of five years the interest of said city shall be sold to the highest bidder.

Rolls, etc., to be prima facie evidence.

SEC. 30. All assessment rolls and proceedings under this chapter, and all conveyances, certificates of sale and leases of any lands, tenements, or hereditaments, executed by the corporation, or any of its officers, by virtue of this act, shall be taken and received in all courts as *prima facie* evidence of the regularity of the proceedings by which such tax was assessed or levied.

Sections amended.

SEC. 20. That sections four, six and sixteen of chapter seventeen of said act, be amended so as to read as follows:

Competency of justice and juror.

SEC. 4. Any judge or justice of the peace elected by the citizens of the City of Port Huron shall be competent to act in suits where said city is a party; and all citizens of the City of Port Huron

shall be competent to act as jurors in all cases in which said city is a party, except in cases herein otherwise provided for.

SEC. 6. All ordinances and by-laws of the common council, printed by their authority, and also in the written record thereof shall, in all courts and places and proceedings, be received without other proof as *prima facie* evidence thereof, and of their legal enactment and publication. Printed ordinances, etc., to be prima facie evidence.

SEC. 16. The accounts and demands of all persons against the city shall be verified by affidavit when required by the common council or any committee thereof, and shall set forth the items thereof in detail, which affidavit may be taken and certified by any member of the council, or other person authorized to administer oaths. Accounts against city, how verified.

SEC. 21. That two new sections be added to said chapter seventeen of said act, to stand as sections seventeen and eighteen, to read as follows: New sections added.

SEC. 17. No bond or note, or other obligation or evidence of indebtedness of said corporation shall be given or issued by said corporation, or by any officer thereof, in his official capacity, except as herein otherwise provided, whereby the said city shall become obligated to pay any sum of money, but the common council may endorse on all accounts which may be presented against said city, the amount allowed by them thereon. No bond, etc., to be issued.

SEC. 18. No private plat or plan shall be recorded or be of any validity until approved by the common council and such approval endorsed thereon, and no such approval shall be granted by the common council, unless such plat or plan conforms to the general plan of the city. Council to approve private plats, etc.

SEC. 22. This act shall take immediate effect.

Approved May 31, 1879.

NOTE.—The words and sentences enclosed in brackets in the foregoing acts were in the bills as passed by the Legislature, but not in the enrolled copies as approved by the Governor.

CERTIFICATE.

STATE DEPARTMENT, MICHIGAN, } ss.
Secretary's Office,

I, WM. JENNEY, secretary of state of the state of Michigan, do hereby certify that the date of the final adjournment of the regular session of the legislature of this state for the present year was May thirty-first, one thousand eight hundred and seventy-nine.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the great seal of the state of Michigan, at Lansing, this third day of July, in the year of our Lord one thousand eight hundred and seventy-nine.

[L. S.]

WM. JENNEY,
Secretary of State.

APPENDIX:

CONTAINING

CERTIFIED STATEMENTS OF BOARDS OF SUPERVISORS

RELATIVE TO THE

ERECTION OF NEW TOWNSHIPS.

APPENDIX.

CHARLEVOIX COUNTY.

In the matter of the application of the petition of Stephen L. Hicks and other freeholders of the township of Hayes, Charlevoix county, and Isaac McCrea and other freeholders of the township of Evangeline, in said county aforesaid, to set off so much of that part of town thirty-four (34) north, of range six (6) west, in said county, as is situated west of Walloon or Bear lake, from the township of Hayes to the township of Evangeline.

*Territory set off
from Hayes and
attached to
Evangeline.*

On motion, the prayer of the petitioners were granted.

STATE OF MICHIGAN, }
County of Charlevoix, } ss.

I, A. R. Upright, clerk of the county aforesaid, and of the board of supervisors thereof, do hereby certify the foregoing to be a true copy of the original record in this office as enacted by the board of supervisors at their meeting held at Charlevoix on the ninth (9) day of October, in the year of our Lord one thousand eight hundred and seventy-seven.

In testimony whereof I have hereunto set my hand and affixed the seal of the circuit court of said county, at
[L. S.] Charlevoix, this eighteenth day of December, in the year of our Lord one thousand eight hundred and seventy-seven.

A. R. UPRIGHT, *Clerk.*

ORGANIZATION OF THE TOWNSHIP OF BEAR LAKE.

In the matter of the application of J. J. Johnson and others for the erection and organization of a new township.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted up and published, as in the manner required by law, and having duly considered the matter of said application, the board order and enact that the territory described in said application, bounded as follows, to wit: The south half (s. $\frac{1}{2}$) of town thirty-four (34), north of range five (5) west, and that part of the south half (s. $\frac{1}{2}$) of town

Bear Lake
organized.

thirty four (34) north of range six (6) west, which lies east of the west arm of Bear Lake, be and the same is hereby erected into a township to be called and known by the name of the township of Bear Lake. The first annual township meeting thereof shall be held at the house of Wm. Covyon, in said town, on the first Monday in April, A. D. 1878, and at said meeting J. J. Johnson, C. J. Wooden and Philo French, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls and exercise the same powers as the inspectors of elections at any township meeting as the law provides.

STATE OF MICHIGAN, }
County of Charlevoix, } ss.

I, A. R. Upright, clerk of the county aforesaid and of the board of supervisors thereof, do hereby certify the foregoing to be a true copy of the original record in this office, as enacted by the board of supervisors at their meeting held at Charlevoix on the ninth (9) day of October, in the year of our Lord one thousand eight hundred and seventy-seven.

In testimony whereof I have hereunto set my hand, and affixed the seal of the circuit court of said county, at
[L. S.] Charlevoix, this eighteenth day of December, in the year of our Lord one thousand eight hundred and seventy-seven.

A. R. UPRIGHT, *Clerk.*

ORGANIZATION OF THE TOWNSHIP OF MELROSE.

In the matter of the application of James A. Haskins and others for the erection and organization of a new township.

Melrose
organized.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted up, and published, as in the manner required by law, and having duly considered the matter of said application, the board order and enact that the territory described in said application, bounded as follows, to wit: Town thirty-three (33) north, of range five (5) west, be and the same is hereby erected into a township to be called and known by the name of the township of Melrose. The first annual township meeting thereof shall be held at the house of John T. Collins on the first Monday in April, A. D. 1878, and at said meeting James A. Haskins, John E. Darrah and John Jones, Jr., three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls and exercise the same powers as the inspectors of elections at any township meeting as the law provides.

STATE OF MICHIGAN, }
County of Charlevoix, } ss.

I, A. R. Upright, clerk of the county of Charlevoix and of the board of supervisors thereof, do hereby certify the foregoing to be

a true copy of the original record in this office as enacted by the board of supervisors at their meeting held at Charlevoix on the ninth (9) day of October, in the year of our Lord one thousand eight hundred and seventy-seven.

In testimony whereof I have hereunto set my hand and affixed the seal of the circuit court of said county, at
[L. s.] Charlevoix, this eighteenth day of December, in the year of our Lord one thousand eight hundred and seventy-seven.

A. R. UPRIGHT, *Clerk.*

CHEBOYGAN COUNTY.

In the matter of the application of William B. Ellis and twenty-eight others, for the erection and organization of a new township.

It appearing to the board of supervisors that application has been made, and that notices thereof has been signed, posted up and published, as in the manner required by law; and having duly considered the matter of the said application, the board order and enact, that the territory described in said application is a part of the township of Inverness, and known as the town thirty-seven (37) north, of range three (3) west; that the same be detached from said township of Inverness, and be erected and organized into a new township to be called and known by the name of the township of Munro. Munro
organized.

The first township meeting thereof shall be held at the house of P. C. Munro, in said township, on Monday, the seventh day of April, 1879, at nine o'clock in the forenoon of that day, and at said meeting Thomas Bentley, David E. Clark and P. C. Munro, three electors of said township, shall be the persons whose duties it shall be to preside at such meeting, appoint a clerk, open and keep the poll and exercise the same powers as the inspectors of election at said election, as the law provides; and further, that said persons so appointed post up notices of said election in the manner required by law.

Dated October 14th, 1878.

MEDARD METIVIER, *County Clerk.*

STATE OF MICHIGAN, }
County of Cheboygan, } ss.

I, Medard Metivier, clerk of said county and clerk of the board of supervisors, do hereby certify that the foregoing is a true and compared copy of an order of the board of supervisors of said county organizing the township of Munro, dated October 14, 1878, now remaining of record in my office, and of the whole of said order.

In testimony whereof I have hereunto set my hand and
[L. s.] affixed the seal of said county, at Cheboygan, this seventh day of February, A. D. 1879.

MEDARD METIVIER, *County Clerk.*

EMMET COUNTY.

In the matter of the application of William White and sixteen others for the organization of a new township to be called "Center," and

Center
organized.

It appearing to the board of supervisors that application has been made, and that notices thereof have been signed, posted and published, as in the matter required by law, and having duly considered the matter of said application, the board of supervisors order and enact that the territory described in said application, bounded as follows, viz.: Township thirty-seven (37) north, of range (5) west, be and the same is hereby erected into a township, to be called and known as the township of "Center." The first annual township meeting thereof shall be held at the house of Clark Cawkins, southwest quarter of section ten (10), town 37 n., r. 5 w., on the first Monday in April, A. D. 1878, at 8 o'clock in the forenoon, and at said meeting Isaac Palmer, Melvin B. Reynolds, Samuel Widgly, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk and keep the polls and exercise the same powers as the inspectors of elections at any township meeting, as the law provides, and Matthew M. Hughes is hereby appointed to post up notices, according to law, of the time and place of such meeting in the newly organized township of Center.

STATE OF MICHIGAN, }
County of Emmet, } ss.

I hereby certify the foregoing to be a true copy of the original record in this office, as enacted by the board of supervisors at the special meeting of said board held on the 7th day of January, A. D. 1878.

[L. S.]

HENRY A. ROLLINS, *Clerk.*

GLADWIN COUNTY.

GLADWIN, GLADWIN COUNTY, }
May 12th, 1879. }

Proceedings of board of supervisors at special meeting held April 23d, A. D. 1879, as touching the organization of township of Buckeye.

Moved by John McGregor, supported by Jas. G. Dow, that the resolution of James G. Dow, relating to the organization of a new town to be composed of congressional towns 18 north, 1 and 2 east, and 1 west, be taken from the table.

Question given; yeas and nays taken.

Yeas—McGregor and Dow, 2.

Nays—Scrafferd, 1.

Carried.

Moved by John McGregor, seconded by J. G. Dow, that the

aforesaid resolution just taken from the table be amended, so as to read the seventh day of May instead of the seventh day of April.

Question given; yeas and nays taken.

Yeas—McGregor and Dow, 2.

Nays—Scrafferd, 1.

Carried.

The following resolution was offered:

Resolved, By the board of supervisors of Gladwin County, that the resolution offered by J. G. D. on the 19th day of March, 1879, relating to the organization of the township of Buckeye, as amended by previous motion of John McGregor, be and the same is hereby adopted.

JOHN MCGREGOR.

The above resolution offered was supported by supervisor Dow.

Question given; yeas and nays taken.

Yeas—McGregor and Dow, 2.

Nays—Scrafferd 1.

Adopted.

Form or copy of resolution as first presented:

Resolved, By the board of supervisors of Gladwin County, Mich., that,

WHEREAS, Application and petition has been made to this board by twelve freeholders praying for it to erect the following territory comprising the congressional towns known as follows, viz.: T. 18 n., 1 and 2 e., and 1 w., as is shown by plat accompanying same, designating territory to be affected by same into a new town to be entitled Buckeye; and,

WHEREAS, It appearing to this board that the proceedings had in the notice and petition mentioned above are in conformity with the requirements of law, and also that said territory mentioned is, by law, entitled to the organization above mentioned; therefore

Resolved, That we do hereby erect and organize the following territory, comprising the following congressional towns, viz.: T. 18 n., 1 and 2 e., and 1 w., into a township which shall be known as the township of Buckeye; and

Resolved, Further, that the first special election in said township shall be held at the house of Isaac C. Smallwood, situated in the territory above mentioned, on Monday, the 7th day of April, A. D. 1879, at 9 o'clock A. M.; and

Resolved, Further, that I. C. Smallwood, Thomas Snyder and John Parker, being freeholders in said township, be and they are hereby designated to preside over such election and to exercise the same power as inspectors of election.

(Signed),

J. G. DOW.

STATE OF MICHIGAN, }
County of Gladwin, } ss.

I, Sherman S. Townsend, clerk of said county, do hereby certify that the above and foregoing is a true copy of the original now on record in this office of the clerk of said county and court,

and the whole of such original record as touching the case at said meeting of said board of supervisors.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at the village of Cedar,
[L. s.] this 12th day of May, A. D. 1879.

S. S. TOWNSEND.

IOSCO COUNTY.

In the matter of the application of James McIvor and twenty-four others for the erection and organization of a new township.

Sherman
organized.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted, and published, as in the manner provided by law, and having duly considered the matter of such application, the board order and enact that the territory described in such application as follows, to wit: All the territory included in town twenty-one (21) north, of range six (6) east, in the county of Iosco, be and the same is hereby detached from the township of Alabaster, and the same is hereby erected into a township to be called and known by the name of the township of Sherman.

The first annual meeting thereof shall be held at the school-house, in school district number two (2), on the first day of April, in the year of our Lord one thousand eight hundred and seventy-eight, and at said meeting Mathias Schneider, Reuben Barstow and Edward O'Brien, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers of the inspectors of election at any township meeting, as the law provides, and that Mathias Schneider is appointed to post the notices of said election.

The foregoing resolution was adopted by the following vote:

Ayes—B. F. Smith, W. W. Hubbell, A. W. Rikely, D. E. Guiley, E. V. Esmond, S. G. Taylor.

Noes—J. E. Forrest, S. Vaughn, T. F. Thompson.

STATE OF MICHIGAN, }
County of Iosco, } ss.

I, James O. Whittemore, clerk of said county, and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of a resolution adopted by said board October fifteenth, A. D. 1877, with the original, now of record in my office, and that it is a true transcript therefrom, and of the whole thereof.

In testimony whereof I have hereunto set my hand and [L. s.] affixed the seal of the circuit court for said county, at Tawas City, this eighth day of March, A. D. 1878.

J. O. WHITTEMORE, *Clerk.*

In the matter of the application of Alonzo Knight and twenty-four others for the erection and organization of a new township.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted, and published, as in the manner provided by law, and having duly considered the matter of such application, the board order and enact that the territory described in such application as follows, to wit.: All the territory included in township 23 north, of range 7 east, and township 23 north, of range 8 east, in the County of Iosco, be and the same is hereby detached from the townships of Plainfield and Au Sable, and the same is hereby erected into a township to be called and known as the township of Wilber. The first annual meeting thereof shall be held at the house of Loran Wilber in said new township on the first Monday of April, in the year of our Lord 1878, and at said meeting Nelson Stevens, Eben F. Abbott and Melvin C. Falls, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers as the inspectors of election at any township meeting, as the law provides, and that Nelson Stevens is appointed to post the notices of said election.

Wilber
organized.

The foregoing resolution was adopted by the following vote:

Ayes—Supervisors Forrest, Guiley, Esmond, Thompson, Taylor, Hubbell, Rikely, Smith.

No—Supervisor Vaughn.

STATE OF MICHIGAN, }
County of Iosco, } ss.

I, James O. Whittemore, clerk of said county, and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of a resolution adopted by said board on the twentieth day of February, A. D. 1878, with the original, now of record in my office, and that it is a true transcript therefrom, and of the whole thereof.

In testimony whereof I have hereunto set my hand and [L. s.] affixed the seal of the circuit court for said county, at Tawas City, this eighth day of March, A. D. 1878.

J. O. WHITTEMORE, *Clerk.*

KEWEENAW COUNTY.

At a special meeting of the board of supervisors for Keweenaw county, held at the county clerk's office in the village of Eagle River, in said county, on the 22d day of January, A. D. 1876, the following resolution was passed:

It appearing to the board of supervisors that application has been made as in the manner required by law, and having duly considered the matter of said application, the said board do hereby order and enact that the territory bounded and described as fol-

Allouez
organized.

lows, to wit: All that portion of Clifton township known and described as fractional township No. 57 north, of range No. 33 west, and the south half of township No. 57 north, of range No. 32 west, according to the government surveys of said township, to be called and known as the township of Allouez.

The first township meeting in said township shall be held in the school house, at the Allouez mine, in said township, on Monday, the third day of April, A. D. 1876, at the hour of nine o'clock in the morning. At said meeting William Harris, Samuel Bennett and Isaiah C. Watson, three electors of said township, shall be the persons whose duty it shall be to preside at said meeting, appoint a clerk, open and keep open the polls, and exercise the same powers and perform the same duties as inspectors of election at any township meeting, as provided by law; and that the said inspectors shall appoint a suitable person to post notices of said election.

STATE OF MICHIGAN, }
County of Keweenaw, } ss.

I, William S. Thomas, clerk of said county, do hereby certify that the foregoing is a true copy of the original record in this office of the resolution organizing the township of Allouez, in said county, and the whole of such original record.

In witness whereof, I have hereunto set my hand and affixed the seal of the circuit court of said county, at
[L. S.] the village of Eagle River, this seventeenth day of December, in the year of our Lord one thousand eight hundred and seventy-eight.

WM. S. THOMAS, *Clerk.*

MACKINAC COUNTY.

In the matter of the application of William J. Vote and others for the erection and organization of a new township.

WHEREAS, It appears to the board of supervisors of Mackinac county, Michigan, that application has been made, and that notice thereof has been signed, posted and published, as in manner required by law, and having been furnished with a map of the proposed new township, and having duly considered the matter of said application, therefore the board order and enact, that the territory described in said application, as follows, to wit: Fractional township 42 north, of range 8 west; fractional township 43 north, of range 8 west; township 44 north, of range 8 west; township 45 north, of range 8 west; fractional township 42 north, of range 7 west; township 43 north, of range 7 west; township 44 north, of range 7 west, be, and the same is hereby erected into a new township by the name of Hendricks, and that the first township meeting therein shall be held on the first Monday in April, eighteen hundred and seventy-nine, at the school house in the school district No. 4 of the present township of Moran, and that at the said meeting Amable Goodreau, Sr., Richard Pemble and Alfred Meteviar, three

electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers as the inspectors of elections of any township meeting, as the law provides.

STATE OF MICHIGAN, }
County of Mackinac, } ss.

I, Felix Cadieux, deputy clerk of the county aforesaid and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of an order of said board with the record thereof in my office as said clerk of said board, and that said copy is a true copy. And I further certify that the foregoing order of said board was passed by them at their meeting held at the village of Mackinac, in said county, on the eleventh day of December, in the year of our Lord one thousand eight hundred and seventy-eight, as appears by their records.

In testimony whereof I have hereunto set my hand and affixed the seal of the circuit court of said county on
[L. s.] the thirtieth (30th) day of December, in the year of our Lord one thousand eight hundred and seventy-eight.

FELIX CADIEUX, *Deputy County Clerk.*

In the matter of the application of John Blanchard and others for the erection and organization of a new township.

WHEREAS, it appears to the board of supervisors of Mackinac county, Michigan, that application has been made, and published, as in manner required by law, and having been furnished with a map of the proposed new township; and having duly considered the matter of said application therefor, the board order and enact the territory described in said application, as follows, to wit: fractional township forty-three (43) north, range nine (9) west; township forty-four (44) north, range nine (9) west; township forty-five (45) north, range nine (9) west; fractional township forty-two (42) north, range ten (10) west; fractional township forty-three (43) north, range ten (10) west; township forty-four (44) north, range ten (10) west; township forty-five (45) north, range ten (10) west; fractional township forty-one (41) north, range eleven (11) west; fractional township forty-two (42) north, range eleven (11) west; township forty-three (43) north, range eleven (11) west; township forty-four (44) north, range eleven (11) west; township forty-five (45) north, range eleven (11) west; fractional township forty-one (41) north, range twelve (12) west; township forty-two (42) north, range twelve (12) west; township forty-three (43) north, range twelve (12) west; township forty-four (44) north, range twelve (12) west; township forty-five (45) north, range twelve (12) west, be and the same is hereby erected into a new township by the name of Newton, and that the township meeting therein shall be held on the first Monday in April, eighteen hundred and

Newton
organised.

seventy-nine, at the house of William Baucha, of the present township of Moran; and that the said meeting B. B. O. Purkins, Frank Leland and William Boucha, Jr., three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise same powers as the inspectors of elections at any other township meeting, as the law provides.

STATE OF MICHIGAN, }
County of Mackinac, } ss.

I, Felix Cadieux, deputy clerk of the county aforesaid and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of an order of said board with the record thereof in my office, as clerk of said board, and that said copy is a true copy; and I further certify that the foregoing order of said board was passed by them at their meeting held at the village of Mackinac, in said county, on the eleventh day of December, in the year of our Lord one thousand eight hundred and seventy-eight, as appears by their records.

In testimony whereof I have hereunto set my hand and affixed the seal of the circuit court of said county, on
[L. S.] the thirtieth (30) day of December, in the year of our Lord one thousand eight hundred and seventy eight.

FELIX CADIEUX, *Deputy County Clerk.*

MANISTEE COUNTY.

In the matter of the application of Caleb B. Henry, Christopher Hutton and ten others, freeholders of the township of Brown, Manistee county, Michigan.

It appearing to the board of supervisors for the county of Manistee, Michigan, that application has been made, and notice duly posted and published, according to the provisions of the statute in such case made and provided, by Caleb B. Henry, Christopher Hutton, C. D. Haines, H. R. Brodie, Isiah Hilliard, W. G. Taylor, Araham K. Henry, Phillip Hilliard, Charles Rockwell, Henry Richardson, John Henry and Lavin Utter, freeholders of town 23 north, range 14 west, being part of the township of Brown, in said county of Manistee, asking that said township 23 north, range 14 west, be erected into a township to be known as the township of Maple Grove; and the said board having considered the matter of said application, and being satisfied that the requirements had been fully complied with, the said board do order that the said township 23 north, range 14 west, as delineated on the map accompanying said petition, be and the same is hereby erected into a new township to be known and designated by the name of the township of Maple Grove; and that the first township meeting of said township of Maple Grove be held at the Stephenson house, in said township, on the first Monday in April,

Maple Grove
organized.

1879; and that William G. Taylor, Christopher Hutton, and H. R. Brodie, three electors of said township, be the persons whose duty it shall be to preside at such meeting, appoint, open and keep the polls, and exercise the same powers as the inspectors of election at any township meeting, as the law provides.

STATE OF MICHIGAN, }
County of Manistee, } ss.

I, Edward C. Lewis, clerk of said county, do hereby certify that the foregoing is a true copy of the record filed in this office of action taken by the board of supervisors of said county at their regular meeting, held on Monday, October 15th, 1878, at the City of Manistee, in said county.

I further certify that the proper copy of proceedings and map has been filed in my office pursuant to law.

MANISTEE, October 31st, A. D. 1878.

[L. s.] EDWARD C. LEWIS, *Clerk*.
By GEO. HUDSON, *Deputy*.

MARQUETTE COUNTY.

In the matter of the application of F. B. Wasley, Jos. Gill, Wm. Rickard, John Kunz, John Thomas, George Lukey, Henry Harvey, Charles Champion, Simon Kinsman, Wm. H. Boundy, Wm. Andrews, Wm. J. French, John C. Van Dyke, George McAllister, R. T. McKay and W. J. Gill, for the division of the township of Michigamme by detaching certain territory therefrom, and for the erection and organization of a new township to consist of the territory so detached.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted up, and published as in the manner required by law, and having duly considered the matter of said application, the board order and enact that the territory described in said application, to wit: Township forty-nine (49), fifty (50), fifty-one (51) and fifty-two (52) north, of range twenty-eight (28) west, township forty-eight (48), and the east half of township forty-nine (49) north, of range twenty-nine (29) west, be and the same is hereby detached from the township of Michigamme, and that the said territory so detached as aforesaid be, and the same is hereby erected into a township, to be called and known by the name of the township of Champion. Champion organized.
The first annual township meeting thereof shall be held at Champion hall (so called), in said new township, on Tuesday, the fifth day of November, A. D. 1878, at nine o'clock in the forenoon, and at said meeting George Berringer, John Minnis, and R. T. McKay, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers as the inspectors of election at any township meeting, as the law provides.

STATE OF MICHIGAN, }
 County of Marquette, } ss.

I, William Rowland, clerk of the county aforesaid and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of an order of said board with the record thereof in my office, as clerk of said board, and the copy thereto attached of the map or survey of the new township of Champion in my office, and furnished to said board on the application for detaching certain territory from the township of Michigamme and for the erection and organization of said new township of Champion, to consist of the territory so detached, and that said copies are true copies; and I further certify that the foregoing order of said board was passed by them at their meeting held at Marquette, in said county, on the 15th day of October, 1878, as appears by their record.

In testimony whereof I have hereunto set my hand,
 affixed the seal of the circuit court of said county,
 [L. S.] this 19th day of October, 1878.

WM. ROWLAND,
County Clerk and Clerk of Board of Supervisors.

MASON COUNTY.

At the annual session of the board of supervisors for Mason County, Michigan, commenced and held at the court house in the City of Ludington, in said county, on the 14th day of October, A. D. 1878; and during said session, viz., on the 18th day of said month, the following appears in the Journal of the proceedings of said board, to wit.:

To the honorable board of supervisors of the county of Mason:

We, the committee appointed by this honorable board to examine and report on the application of J. J. Gilding and eighty-five (85) others to set off from the present township of Eden that portion of said township embraced in the surveyed town of 18 north, range 16 west, and to erect and organize the same into a separate township to be designated by such name as this board may deem suitable, &c., would report that we have examined the application and map of the present and proposed townships attached thereto, and there being no remonstrance to said application; and it appearing that the notices required by law have been duly posted and published; and it also appearing proper and right that the application be granted as asked in said application, your committee would recommend that said application be granted.

Custer organized. We would also recommend that the name of the new township 18 north, range 16 west, be called "Custer;" that the inspectors of the first election be Hugh McCulloch, Henry C. Ransom and John Smith.

That the place of holding the first election be Black Creek

station house; and that the time of holding the first election be the first Monday in April, 1879; that the notices of said first election signed by the chairman and clerk of this board shall be posted in four of the most public places of said township by Henry C. Ransom, one of the inspectors aforesaid.

The committee would also recommend that in the township of Eden, being town 17 north, of range 16 west, Charles E. Storrs, Martin B. Payne, and Charles Genereau be the inspectors of the first election; that the place of holding said first election in said township be the school-house, in school district number 6, in said township; that the time of holding said election be the first Monday in April, 1879; that the notices of said election, signed by the chairman and clerk of this board, be posted in four of the most public places in said township by Charles E. Storrs, one of the inspectors aforesaid.

SAMUEL D. HAIGHT, }
N. L. BIRD, } *Committee.*
N. J. GAYLORD, }

Which report was accepted and adopted by the board, to be and stand as the action of this board, all members voting therefor.

I, Lucius E. Hawley, clerk of the county of Mason and ex-officio clerk of the board of supervisors of said county, do hereby certify that I have compared the foregoing and annexed copy of the proceedings of said board in regard to the erection of the town of Custer, with the original record thereof now remaining in my office; and that it is a true and correct transcript of said original record, and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the seal of said county at Ludington, this 18th day of November, in the year of our Lord one thousand eight hundred and seventy-eight.

[L. S.]

LUCIUS E. HAWLEY, *Clerk.*

MIDLAND COUNTY.

In the matter of the application of L. F. Smith and eleven others named, for the erection of a new township.

By Supervisor Raymond:

WHEREAS, The committee on organization of townships have reported in favor of the petition of L. F. Smith and eleven others for the creation of a new township, to be called the township of Lincoln; therefore be it

Resolved, By the board of supervisors of Midland county, that all that part of the township of Hope as now organized, to wit: Fractional township number fifteen (15) north, of range one (1) east, be, and the same is hereby set off from the township of Hope and organized into a separate township, to be known by the name of Lincoln. Lincoln organized.

Resolved, That the first township meeting of the said township of Lincoln shall be held on the first Monday of April, A. D. 1879, at the house of L. F. Smith, in said township, and that Frank S. Stratton, L. F. Smith, and Harrison Averill be, and they are hereby appointed inspectors of election of said township meeting, whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers as inspectors of election of any township meeting; that H. B. Hamilton be appointed to post notices, according to law, of the time and place of holding the first township meeting in the said new township of Lincoln.

Accepted and adopted.

STATE OF MICHIGAN, }
County of Midland, } ss.

I, William Davidson, clerk of the county aforesaid and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of an order of said board with the record thereof in my office as clerk of said board, and that said copy is a true copy; and I further certify that the foregoing order of said board was passed by them at their meeting held at Midland City, in said county, on the 30th day of October, 1878, as appears by their record.

In testimony whereof I have hereunto set my hand and affixed the seal of the circuit court of said county this
[L. s.] 28 day of December, 1878.

WM. DAVIDSON, *County Clerk*.

In the matter of the application of John Larkin and others named for the erection and organization of a new township.

It appearing to the board of supervisors that application has been made, and that notices has been signed, posted up and published as in the manner required by law; and having duly considered the matter of said application, the board order and enact that the territory described in said application, described as follows, to wit: Township number fifteen north, of range number two east, be, and the same is hereby erected into a new township, to be called and known by the name of the township of Larkin. The first annual township meeting thereof shall be held at the residence of John Maloney on Monday, the seventh day of April, 1879, at eight o'clock in the forenoon, and at said meeting William Dougherty, David P. Waldo, and Archie Farrow, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers as the inspectors of election at any township meeting, as the law provides; and also that William T. Weller be appointed to post notices of said township meeting.

Adopted.

Larkin
organised.

STATE OF MICHIGAN, }
County of Midland, } ss.

I, William Davidson, clerk of the county aforesaid and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of an order of said board with the record thereof in my office as clerk of said board, and that said copy is a true copy; and I further certify that the foregoing order of said board was passed by them at their meeting held at Midland City, in said county, on the 24th day of January, 1879, as appears by their record.

In testimony whereof I have hereunto set my hand,
 affixed the seal of the circuit court of said county,
 [L. S.] this 28th day of January, 1879.

WM. DAVIDSON, *County Clerk.*

MISSAUKEE.

In the matter of the petition of William S. Conaway and others for the erection and organization of a new township.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted up, and published, as in the manner required by law; and having duly considered the matter of said application, the board order and enact that the territory described in said application, to wit: Congressional township number twenty-three (23) north, range seven (7) west, be and the same is hereby erected into a township to be called and known by the name of the township of Forest. The first annual township meeting thereof shall be held at the house of Michael Kohr, being on the s. $\frac{1}{4}$ of s. w. $\frac{1}{4}$ of section two, in said township, on Friday, the 9th day of May, in the year of our Lord one thousand eight hundred and seventy-nine, at 9 o'clock in the forenoon, and at said meeting John J. Pollard, William S. Conaway and Orvill Parker, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers as the inspectors of election at any township meeting, as the law provides. Forest organized.

STATE OF MICHIGAN, }
County of Missaukee, } ss.

I, Arlington C. Lewis, clerk of said county, and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of a resolution adopted by said board of supervisors at a special meeting thereof, held on the 24th day of April, A. D. one thousand eight hundred and seventy-nine, with the original now of record in my office; and that it is a true transcript therefrom, and of the whole thereof.

In testimony whereof I have hereunto set my hand
 and affixed the seal of the circuit court of said county,
 [L. S.] at Lake City, this twenty-first day of May, one thousand
 eight hundred and seventy-nine.

A. C. LEWIS, *Clerk.*

OGEMAW COUNTY.

In the matter of the application of Orin Graham and others for the erection and organization of a new township.

Klacking
organized.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted and published as in the manner provided by law, and having duly considered the matter of such application, the board order and enact that the territory described in such application, as follows, to wit: Towns twenty-three (23) north, of range one (1) east, and twenty-three (23) north, of range two (2) east, and the north half of town twenty-two (22) north, of range two (2) east, taking in sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 in said last mentioned township, being now included within the limits of the township of Ogemaw and comprising a portion thereof, be, and the same is hereby detached from the said township of Ogemaw, and the same is hereby erected into a township, to be called and known by the name of the township of Klacking. The first annual meeting thereof shall be held at the school-house in district number two as numbered while in said township of Ogemaw, on the first Monday of April, in the year of our Lord one thousand eight hundred and seventy-eight, at nine o'clock in the forenoon, and John Klacking, Orin Graham and Hiram Hodge, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers and duties as inspectors of election at any township meeting, as the law provides; and that Orin Graham is hereby appointed as the person to post the notices of such township meeting required by law.

I certify the foregoing to be a true copy of a resolution of the board of supervisors of Ogemaw county, passed by them at their session of March 12th and 13th, A. D. 1878.

Dated West Branch, this March 24th, A. D. 1878.

[L. S.]

C. L. NAUMAN,

Clerk of the Board of Supervisors of Ogemaw County.

In the matter of the application of John N. Quigley and others, for the erection and organization of a new township.

It appearing to the board of supervisors that application has been made, and that notice thereof has been signed, posted and published as in the manner prescribed by law; and having duly considered the matter of such application, the board order and enact that the territory described in such application, as follows, to wit: Towns twenty-three (23) north, of range three (3) east, and twenty-three (23) north, of range four (4) east, being now included within the limits of the township of Churchill and comprising a portion thereof, be, and the same is hereby detached from the said township of Churchill, and the same is hereby erected into a township to be called and known by the name of the township of

Cumming. The first annual meeting thereof shall be held at the house of A. L. Cumming, in said township, on the first Monday of April, in the year of our Lord one thousand eight hundred and seventy-eight, at nine o'clock in the forenoon; and that Archibald L. Cumming, Louis Cumming, and Henry L. Heath, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers and duties as inspectors of election at any township meeting, as the law provides; and that Louis Cumming is hereby appointed as the person to post the notices of such township meeting required by law. The next township meeting to be held in the township of Churchill aforesaid shall be held at the house of John N. Quigley, in said township, and that Wm. R. Quigley be, and he is hereby appointed to post up notices according to law of the time and place of holding such township meeting.

I hereby certify the foregoing to be a true copy of a resolution passed by the board of supervisors at their session of March 12th and 13th, A. D. 1878.

Dated West Branch, March 24th.

[L. s.]

C. L. NAUMAN,
County Clerk of Ogemaw County.

To the board of supervisors of Ogemaw county, gentlemen:

In the matter of the application of Frank Pierce and thirteen others for the erection and organization of a new township.

WHEREAS, Application in writing has been made to the board of supervisors of Ogemaw county, in the state of Michigan, by Frank Pierce and thirteen other freeholders of the township of Edwards, in said Ogemaw county, for the organization or erection of the territory comprising town twenty-one (21) north, of ranges three and four (3 and 4) east, in said Ogemaw county, and now a part of the township of Edwards, in said county, into a new township; and

WHEREAS, It appears that notice of such application, signed by the aforesaid freeholders, has been duly published and posted up in the manner required by law for four weeks immediately preceding the time of making said application; and a map of all the townships affected by the organization or erection of such new township showing the proposed alterations having been furnished to said board of supervisors; therefore

Resolved, That the territory described in said application, known as town twenty-one (21) north, of ranges three and four (3 and 4) east, in said Ogemaw county, and now a part of said township of Edwards, be and the same is hereby erected into a new township to be called and known by the name of Richland; and be it further

Resolved, That the first township meeting thereof shall be held at school-house of school district No. 1, in said township of

Richland, on Monday, the 7th day of April, one thousand eight hundred and seventy-nine; and Frank Pierce, Eugene Wilcox, and Amassa Moore, three electors of said township, be and they are hereby designated as the persons who shall preside at such meeting, appoint a clerk, open and keep the polls, and exercise the same powers as the inspectors of election at any township meeting; and that the said Frank Pierce is hereby appointed as the person to post the notices of said township meeting as required by law.

Motion of supervisor Austin.

Supported by supervisor Rose.

W. H. Hosier, aye.

John Klacking, aye.

Wm. Rose, aye.

A. L. Cumming, aye.

W. L. Austin, aye.

John Regan, aye.

OGEMAW COUNTY, CLERK'S OFFICE, }
WEST BRANCH, MICH., }
March 3rd, 1879. }

I do hereby certify that the foregoing and attached resolution was duly passed upon by the board of supervisors of Ogemaw county at their session of March the 3rd, 1879.

[L. S.]

C. L. NAUMAN,

Clerk of the board of supervisors of Ogemaw county.

ROSCOMMON COUNTY.

In the matter of the application of Samuel L. Brundage and others for the erection and organization of a new township.

It appearing to the board of supervisors that application has been made, and that notice has been signed and posted up and published as in the manner required by law, and having duly considered the matter of said application of Samuel L. Brundage and others, the board order and enact that the territory described in said application and delineated upon the map accompanying said application, to wit: Townships twenty-one north, of range one and two west, be, and the same is hereby erected into a new township, to be called and known by the name of Nester; and the first township meeting of the township of Nester shall be held on Monday, the twentieth day of May, A. D. eighteen hundred and seventy-eight, at the house of Samuel L. Brundage, and at said meeting John Nester, James Kelly, and Samuel L. Brundage, three electors of said township, shall be the persons whose duty it shall be to preside at such meeting, appointing a clerk, open and keep the polls, and exercise the same powers as the inspectors of election at any township meeting, as the law provides.

STATE OF MICHIGAN, }
County of Roscommon, } ss.

I, Henry H. Woodruff, clerk of the county aforesaid, hereby

Nester
organized.

certify the foregoing to be a true copy of the original record in this office as enacted by the board of supervisors at their meeting held at Houghton Lake, in said county, on the first day of May, one thousand eight hundred and seventy-eight.

In testimony whereof I have hereunto set my hand and affixed the seal of the circuit court of said county, at
[L. s.] Houghton Lake, this 1st day May, A. D. 1878.

HENRY H. WOODRUFF, *Clerk*.

SCHOOLCRAFT COUNTY.

In the matter of the application of Wm. H. Colwell and others in the township of Munising and Monistique, and county of Schoolcraft, for detaching a portion of territory from the township of Munising, and attaching the same to the township of Monistique, in said county of Schoolcraft.

It appearing to the board of supervisors that application has been made, and that notice thereof has been since posted up, and been published, as in the manner required by law; and having duly considered the matter of said application, the board order and enact that the territory described in said application, as follows, to wit: All of township forty-four north, range thirteen west; all of township forty-four north, range fourteen west; all of township forty-five north, range thirteen west; all of township forty-five north, range fourteen west; all of township forty-six north, range thirteen west; all of township forty-six north, range fourteen west; all of township forty-seven north, range thirteen west; all of township forty-seven north, range fourteen west; all of township forty-four north, range fifteen west; all of township forty-four north, range sixteen west; all of township forty-four north, range seventeen west, be and the same is hereby detached from the township of Munising and added to the township of Monistique, in the county of Schoolcraft.

Territory
detached from
Munising and
attached to
Monistique.

STATE OF MICHIGAN, }
County of Schoolcraft, } ss.

I, E. A. Adams, clerk of the county aforesaid, and of the board of supervisors thereof, do hereby certify that I have carefully compared the foregoing copy of an order of said board with the records thereof in my office as clerk of said board; and the copy thereto attached of the map of survey of the townships of Munising and Monistique in my office, and furnished to said board on the application for the detachment of said territory from the township of Munising, and adding the same to the township of Monistique. And I further certify the foregoing order of said board was passed by them at their meeting held at Onota, in said county, on the 28th day of January, 1878, as appears by their record.

In testimony whereof I have hereunto set my hand and affixed the seal of the circuit court for the county of
[L. s.] Schoolcraft this second day of February, A. D. 1878.
E. A. ADAMS, *County Clerk*.

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